

30.01.2024
DL.60
Court No.29
(AD)
(Allowed)

C.R.M. (A) 4697 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hariharpara** Police Station Case No.**237 of 2023** dated **04.06.2023** under Sections **448/376/506** of the Indian Penal Code. (G.R. Case No.2479 of 2023).

And

In the matter of: **Golam Mostafa Biswas**

....petitioner.

Mr. Jisan Iqubal Hossain

... for the petitioner.

Mr. Arijit Ganguly

Mr. Avik Ghatak

...for the State.

Mr. Amartya Mohan Bhattacharya

... for the opposite party/wife.

De facto complainant recorded a statement under Section 164 of the Code of Criminal Procedure subsequent to the order dated January 22, 2024.

In her statement, de facto complainant states that she entered into a relationship with the petitioner during her marriage. Such relationship was discovered by her husband who divorced her. Subsequent to such divorce she married the petitioner and that she is no longer willing to continue with the present police case.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer as and when called for till the

conclusion of the investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4697 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)