

CRM (A) 5264 of 2023

In re : An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 606 of 2023 dated 05.09.2023 under Sections 448/376/511/379 of the Indian Penal Code.

-And-

In the matter of : Tohirul Sardar

... ..petitioner

Ms. Shabana Hasin

... .. for the petitioner

Mr. Prasun Kumar Dutta

Ms. Jonaki Saha

... ...for the State

Affidavit of service filed in Court be taken on record.

None appears for the victim.

Apparently, there are subsisting disputes between the private parties. There is a previous police complaint lodged.

Section 164 statements do not make out a compelling case for custodial interrogation.

Considering the materials in the case diary and the gravity of the offence and the involvement of the petitioner therein, 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is allowed.

Hence, the application for anticipatory bail is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)