

13.02.2024
Item No.111
Ct. No. 29
CHC
Allowed

C.R.M.(A) 5291 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gangarampur** Police Station Case No. **433/2023** dated **09.09.2023** under Sections **363/365** of the Indian Penal Code
And

In the matter of : Nur Alam

..... petitioner

Ms. Minoti Gomes,
Ms. Chandrima Debnath
....for the petitioner

Mr. Partha Pratim Das,
Mr. Apurba Kumar Dutta
....for the State

Mr. Kallol Mondal,
Mr. Sandipan Maity
....for the de facto complainant

Petitioner prays for anticipatory bail.

Victim recorded her statement under Section 164 of the Criminal Procedure Code subsequent to the order dated February 1, 2024.

Statement of the victim is largely of exoneration of the petitioner.

State, petitioner and the de facto complainant are represented.

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 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 will report before the Investigating Officer once in a month till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 5291 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)