

05.02.2024

Serial no. 40
Anticipatory bail
[Allowed]
Dd

CRM (A) 5381 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **564** of **2023** dated **03.10.2023** under Sections **417/376** of the Indian Penal Code, 1860.
(GR No. 3226/2023)*

-And-

*In the matter of : **Anikul Islam***

*... .. **Petitioner***

*Mr. Kallol Mondal,
Ms. Roma Roy, Advocates
... .. For the Petitioner*

*Mr. Prasun Kr. Dutta,
Ms. Debjani Dasgupta, Advocates
... ..For the State*

*Ms. Minoti Gomes,
Mr. Kausik Biswas, Advocates
... ..For the de facto complainant*

Victim recorded a statement under Section 164 of the Criminal Procedure where, she stated that, there was a relationship between her and her brother-in-law, subsequent to death of her husband.

As to whether the relationship was entered into on the parameter as claimed by the victim or not may be decided at the trial.

Both the victim and the petitioner before us are adults.

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 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**.

CRM (A) 5381 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)