

05.02.2024

Serial no.
Anticipatory bail
[Allowed]
Dd

CRM (A) 5578 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. **364** of **2022** dated **11.07.2022** under Sections **498A/313/307/376/511** of the Indian Penal Code, 1860.*

(G.R. Case No. 1746/2022)

-And-

*In the matter of : **Mahidur Rahaman***

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

*Ms. Minoti Gomes,
Mr. Sourav Mukherjee, Advocates
... .. For the Petitioner*

*Mr. Bidyut Kr. Roy,
Ms. Mamata Jana, Advocates
... ..For the State*

Police filed charge sheet. Husband was granted bail by the jurisdictional Court. Other in-laws were granted either bail or anticipatory bail.

Statement of the victim recorded under Section 164 of the Criminal Procedure Code claims that she was raped.

Police however on conclusion of investigation filed charge sheet under Sections 376/511 of the Indian Penal Code, 1860.

In view of such charge sheet submitted and in view of the fact that husband was enlarged on bail and that the other co-accuseds are on bail or anticipatory bail, 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 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) 5578 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)