

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

27.08.2019.
27.
as
(Allowed).

C.R.M. 688 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 25.06.2019 in connection with Dinhata P. S. Case No.887 of 2017 dated 16.09.2017 under Sections 448/376/506 of the Indian Penal Code.

In the matter of : Manchhur Miah @ Manchhur Ali.
... Petitioner.

Mr. Sudip Guha.
...for the Petitioner.

Mr. Nilay Chakraborty,
Mr. Sourav Ganguly.
.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. It is further submitted that the victim lady refused to submit herself to medical examination.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner with regard to false implication and as the victim lady had refused medical

examination, we are inclined in granting anticipatory bail to the petitioner, however, subject to strict conditions.

Accordingly, we direct that in the event of arrest the petitioner viz., Manchhur Miah @ Manchhur Ali shall be released on bail upon furnishing a bond of Rs.10,000/- 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 shall meet the investigating officer once in a week until further orders and on further condition that the petitioner shall appear before the court below and pray for regular bail within a fortnight from date.

This application for anticipatory bail is, thus, disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)