

CRM 6887 of 2020
with
IA No. CRAN 1 of 2020
(Via Video Conference)

In re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Hariharpara P.S. Case No. 239 of 2020 dated 23.08.2020 under Sections 448/376/506 of the Indian Penal Code.

In the matter of : **Abdul Alim Mondal**

..... petitioner

Mr. Rabiul Islam

....For the petitioner

Mr. Rana Mukherjee
Ms. Sujata Das

.....For the State

The petitioner undertakes to affirm and stamp the petition as per the Rules within 48 hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioner claims that a civil dispute with the family of the alleged survivor has resulted in a completely false complaint being lodged.

The State relies on the statement of the survivor recorded under Section 164 of the Code. Such statement claims that the petitioner herein slipped into the survivor's room in the middle of the night and forced her into submission. The State also places the medical report which does not reveal any sign of any injury on the person of the 23 year-old survivor.

Considering the circumstances, the immediate detention of the petitioner may not be necessary. However, the petitioner will

not contact the survivor in any manner whatsoever till the completion of the trial.

Subject to the above, in the event of arrest, the petitioner will be enlarged on bail upon furnishing a bond of Rs.20,000/- (Rupees twenty thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioner will also comply with the conditions laid down in Section 438(2) of the Code and not attempt to make any contact with the victim till after conclusion of the trial.

CRM 6887 of 2020 and CRAN 1 of 2020 therein are disposed of.

(Arijit Banerjee, J.)

(Sanjib Banerjee, J.)