

19.11.2020
(33) KC
Allowed

C.R.M. 8682 of 2020

(Via Video Conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ratua Police Station Case No. 545/19 dated 13.10.2019 under Sections 448/325/315/376/511/34 of the Indian Penal Code.

In the Matter of : Ali Baba Shah

.... petitioner.

Mr. Subhajit Chowdhury,
Mr. Imdadul HoqueFor the petitioners.

Mr. Imran Ali,
Ms. Sima Biswas.....For the State.

The advocate-on-record for the petitioner undertakes to affirm and properly stamp the petition as per the rules within forty eight hours of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

This case involves disputes between neighbours. The allegation against the petitioner of having attempted rape of the victim was made on 30th August, 2018 and 21st June, 2019.

The F.I.R. was lodged months later on 13th October, 2019. More importantly till date the police has not taken any steps against the petitioner.

In that view of the matter, we allow this application for anticipatory bail.

Subject to the above, in the event of arrest, the petitioner will be released on bail upon furnishing security of Rs. 10,000/- (Rupees Ten Thousand) together with personal release bond of equivalent value to the satisfaction of the arresting officer.

The petitioner will also comply with the conditions laid down in Section 438(2) of the Code.

CRM 8682 of 2020 is disposed of.

(I.P. MUKERJI, J.)

(MD. NIZAMUDDIN, J.)