

20.11.2020
Sl. No.59
akd
[ALLOWED]

C. R. M. 9113 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 05.11.2020 in connection with Phansidewa Police Station Case No. 400 of 2020 dated 31.08.2020 under Section 376 of the Indian Penal Code. (G.R. Case No.4182 of 2020)

And

In Re: ***Ratul Rajuddin @ Sanju @ Ratul Rajuddin***

... .. Petitioner

Mr. Soumabha Saha .. Advocate

... .. for the petitioner

Mr. Aditi Sankar Chakraborty .. Ld. Addl. Public Prosecutor

Mr. Arun Sarkar .. Advocate

... .. for the State

Petitioner undertakes to affirm and stamp the petition/application as per Rules within a month of resumption of normal functioning of the court. Subject to such undertaking, the application is taken up for hearing through video conferencing.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case.

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

We have considered the memo of evidence which indicates an exonerative statement of the victim recorded under Section 164 of the Code of Criminal Procedure. In view of the aforesaid fact and other attending circumstances, we are inclined in granting anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Ratul Rajuddin @ Sanju @ Ratul Rajuddin***, 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.

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

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)