

07.12.2020
tkm/ct 28
sl no. 78

**C.R.M. 9873 of 2020
(via video conference)**

Allowed

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Domkal P.S case no. 615 of 2019 dated 23.8.2019 under sections 448/323/376/511/34 of the IPC
and

In Re : Jahir Abbas @ Jahir Abbas Biswas petitioner

Mr. M Chatterjee

..... for the petitioner

Ms. Sukanya Bhattacharya

Md. Kutubuddin

..... for the State

It is submitted on behalf of the petitioner that there is inordinate delay in lodging FIR.

Learned lawyer for the State opposes the prayer for anticipatory bail and submits that the victim was ravished and assaulted.

We have considered the materials on record including the medical report. There is delay in lodging FIR. There are no injuries in the private parts of the victim.

In view of the aforesaid factual matrix, we are inclined to 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/- with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that while on bail petitioner shall meet the investigating officer once in a week until further orders.

The application being CRM 9873 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)