

C.R.M. 10557 of 2020

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Nakashipara P.S. Case No.523 of 2020 dated 14.10.2020 under Sections 376/511/34 of the IPC.

In the matter of : Hasibul Sk. @ Habibur Rahaman Sk.
... Petitioner.

Ms. Karabi Roy
...for the Petitioner.

Mr. S.S.Imam
Mr. Arabinda Manna
.....for the State.

It is submitted on behalf of the petitioner that there was a free fight between the parties and delay in lodging the First Information Report.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Allegation of attempt to rape the victim may be considered in the light of the aforesaid submissions made out on behalf of the petitioner. In such circumstances, we are of the opinion that custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J)

