

08.10.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 4115 of 2021
(via video conference)

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dantan** Police Station Case No. **85** of **2021** dated **29.03.2021** under Sections 376/420/506/323 of the Indian Penal Code, 1860.

And

In Re : Bikash Maity. petitioner

Mr. Suman Das Adhikary
.....for the petitioner

Mr. Nirupam Dhali
....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the contents of the statement recorded under Section 164 of the Code of Criminal Procedure of the de-facto complainant. In answer to a query of the Court, learned advocate appearing for the State submits that, the de-facto complainant refused to undergo medical test.

Considering the materials in the case diary and considering the fact that the de-facto complainant refused

medical test, 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioners shall meet the investigating officer once in a fortnight until further orders and shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)