

08.10.2021
tkm/ct 29
sl no. 52

C.R.M. 4578 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ratua P.S Case no. 26 of 2021 dated 11.1.2021 under sections 448/376/506 of the IPC

And

Allowed

In Re : Mahidur Rahaman

..... petitioner

Mr. Arup Sarkar

..... for the petitioner

Mr. S S Iam

Mr. Pratick Bose

..... for the State

Petitioner seeks anticipatory bail.

Learned advocate for the petitioner submits that there are case and counter case between the private parties.

Learned advocate for the State draws attention of this Court to the statement recorded under section 164 Cr.P.C. In answer to a query from the Court, learned advocate for the State submits that victim refused to undergo medical test.

Considering the statement recorded under section 164 Cr.P.C and considering the fact that the victim refused to 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 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner while on bail, shall meet the investigating officer once in a month until further orders. Petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

The application being CRM 4578 of 2021 is disposed of.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)