

08.10.2021
tkm/ct 29
sl no. 54

C.R.M. 4583 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Hariharpara P.S Case no. 118 of 2021 dated 26.3.2021 under sections 448/376 of the IPC

And

Allowed

In Re : Bapi Sk @ Sanuwar Hossain petitioner

Mr. S Adhikary

..... for the petitioner

Mr. Imran Ali

Ms. D Sahu

..... for the State

Petitioner seeks anticipatory bail.

Learned advocate for the petitioner submits that the petitioner was falsely implicated due to civil dispute subsisting between the 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 and since police submitted charge sheet, 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. Petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

The application being CRM 4583 of 2021 is disposed of.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)