

16.12.2021.
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as
(Allowed).

C.R.M. 6157 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.380 of 2021 dated 29.07.2021 under Sections 376/511/34 of the Indian Penal Code.

In the matter of : Shri Charan Mandal.

... Petitioner.

Mr. Asfak Ahammed.

...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id.P.P.,
Ms. Faria Hossain,
Ms. Sonali Das.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that there was a civil dispute between the parties and he has been falsely implicated in the instant case. There is delay in lodging the First Information Report.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the statement of the victim. Allegation of attempted rape requires to be assessed in the light of the aforesaid submissions made on behalf of the petitioner during trial.

In view of the aforesaid facts, we are inclined to grant anticipatory bail to the petitioner subject to condition.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall meet the Investigating Officer once in a week until further orders and on further condition that the petitioner shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)