

17.12.2021
tkm/ct 28
sl no. 73

C.R.M. 8066 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Murutia P.S case no. 176 of 2021 dated 25.8.2021 under sections 448/376/511/506/34 of the Indian Penal Code

And

Allowed

In Re : Chittaranjan Mondal

..... petitioner

Mr. Asraf Mandal

..... for the petitioner

Mr. B K Roy

Ms. Sima Biswas

..... for the State

It is submitted on behalf of the petitioner that an earlier case was registered against the family members of the de facto complainant. In retaliation, the present case has been registered.

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

We have considered the materials on record. Allegation of attempted rape requires to be assessed in the light of the aforesaid submission made on behalf of the petitioner. Due to prior enmity false implication of the petitioner cannot be wholly ruled out.

Under such circumstances, 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.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM 8066 of 2021 is disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)