

42 24.12.2021
(AD)
Court No.29
(Allowed)

**C.R.M. 8863 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhadreswar** P.S. Case No. **443 of 2021** dated **13/10/2021** under Sections **341/323/325/354/379/506/509/34** of the Indian Penal Code, 1860 and under Sections **12/18** of the Protection of Children from Sexual Violence Act, 2012.

And

In the matter of: Sri Dipak Verma @ Dipu

....petitioner.

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP
Mr. Rudradipta Nandy

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated due to the enmity between the two neighbours.

Learned Advocate appearing for the State refers to the contents in the case diary, the injury report and the statement of the injured.

In reply to a query from the Court, he submits that statement under Section 164 of the Code of Criminal Procedure was not recorded.

Considering the gravity of the offence, the involvement of the petitioner in the incident, the possibility of the petitioner being implicated due to the enmity between the two neighbours cannot be ruled out. Consequently, we 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 shall meet the Investigating Officer once a month till the conclusion of the investigation and that he shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 8863 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)