

**CRM (A) 433 of 2022**  
**(via video conference)**

Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure.

In the matter of : **Dilwar Hossain @ Md. Dilwar Hossain**  
**@ Durul**

..... petitioner

**Mr. Tapan Datta Gupta**  
**Mr. Parvej Anam**

.....For the petitioner

**Ms. Sreeparna Das**

.....For the State

Apprehending arrest in connection with Ratua Police Station Case No. 679 of 2021 dated 19.12.2021 under Sections 354A/376/511 of the Indian Penal Code, the present application has been preferred.

It appears that the victim refused medical examination. It is a case of attempt to commit rape. The victim refused medical examination. The victim, in exercise of her right to self-defence, attacked the petitioner with sharp cutting weapon causing injury to his person. A copy of medical report is annexed with the present application.

On perusal of the case diary and other materials, presence of incriminating materials against the petitioner and his complicity in the offence, we find that custodial detention is not necessary.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Dilwar Hossain @ Md. Dilwar Hossain @ Durul** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, 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.

It is further directed that the petitioner shall not tamper with the evidence and/or intimidate the witnesses. He shall also attend learned Court below on all the dates, as specified for hearing.

In the event the petitioner fails to comply with the aforesaid directions, without any justifiable cause, the learned Court below shall be at liberty to cancel his bail, in accordance with law, without further reference to this Court.

The application for anticipatory bail, being CRM (A) 433 of 2022, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

**(Sugato Majumdar, J.)**

**(Tapabrata Chakraborty, J.)**