

18.04.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1731 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **369** of **2019** dated **15.06.2019** under Section 364 of the Indian Penal Code, 1860.

And

In Re : Narayan @ Naran Karmakar

..... petitioner

Ms. Jeenia Rudra

....for the petitioner

Mr. Madhusudan Sur

Mr. Manoranjan Mahata

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

Apparently, all allegations recorded in the 164 Cr.P.C. statements of the victim are not backed up by medical evidence.

In such circumstances, considering materials in the case diary, the gravity of the offence and the involvement of the petitioner therein and considering the fact that the police filed charge-sheet, 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 be 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 appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)