

26.04.2022
Sl. 43
Court No.29
sourav
(Allowed)

C.R.M. (A) 1900 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chandannagar** Police Station Case No. **31** of **2022** dated **09.02.2022** under Sections **377/325/307/448/506** of the Indian Penal Code and under Sections **4/6** of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: **Dhiman Boral**

....petitioner.

Mr. Prabal Kumar Mukherjee, Sr. Adv.
Ms. Sreyashee Biswas

...for the petitioner.

Mr. Binay Panda
Mr. Subham Bhakat

...for the State.

Petitioner prays for anticipatory bail.

Learned senior advocate appearing for the petitioner submits that the petitioner was falsely implicated. There is enmity between the two families resulting in the police complaint being lodged.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code and to the medical report.

In the statement recorded under Section 164 of the Criminal Procedure Code, the victim claims sexual assault. The medical report is specific that no sexual assault was suffered by the victim.

In view of the claim of the victim being not corroborated by the medical report of the victim, 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/- (Rupees Ten Thousand Only), 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 will report before the Investigating Officer once in a week till the conclusion of the investigation 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 1900 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

