

**C.R.M. (A) 1983 of 2022**

**29.04.2022**  
Sl. 39  
Court No.29  
sourav  
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Nowda** Police Station Case No. **66** of **2022** dated **31.03.2022** under Sections **354/354C/354A(2)/354D** of the Indian Penal Code.

And

In the matter of: **Mahasen Sk @ Mohasen Sk**

....petitioner.

Mr. Somnath Adhikary

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP,

Mr. S. Santra

...for the State.

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that there was a previous civil dispute between the family of the defacto complainant and the petitioner. He refers to the settlement arrived at in such civil dispute. The present police complaint was filed subsequently in order to falsely implicate the petitioner.

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.

The victim refused to undergo medical test.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary and considering the fact that the false implication of the petitioner cannot be ruled out at this stage, we enlarge the petitioner on anticipatory bail.

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 a month 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) 1983 of 2022** is, thus disposed of.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**

