

CRM 4105 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 15.06.2021 in connection with Raiganj Women Police Station Case No. 152 of 2020 dated 06.10.2020 under Sections 493/376/506 of the Indian Penal Code.

-And-

In the matter of : **Imran Sarkar @ Imran Ali**

... ...Petitioner

Mr. Pronojit Roy, Advocate

Mr. Sudip Guha, Advocate

... ... For the Petitioner

Mr. Bidyut Kr. Roy, Advocate

Ms. Rita Datta, Advocate

... ... 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 statements recorded under Section 164 of the Code of Criminal Procedure of the victim. She submits that the victim refused to undergo medical test. The police filed charge-sheet. However, the police did not include Section 313 of the Code of Criminal Procedure in the charge-sheet since the police did not come across any material to such effect.

Considering the statements of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the fact that the victim refused to undergo medical test and considering the fact that the police filed charge-sheet, we are inclined to 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 further condition that the petitioner shall appear before the Court below and pray for regular bail within four weeks from date and on further condition that the petitioner shall appear before the Court below on every date fixed for hearing.

The prayer for anticipatory bail is allowed.

CRM 4105 of 2021 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)