

**29.06.2022**  
**Serial no. 40**  
[Dd]  
(Anticipatory bail)  
**Allowed**

**CRM (A) 3031 of 2022**

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Nowda** Police Station Case No. **99** dated **May 04, 2022** under Sections **354A(3)/509/448/354D/376/511/323/379** of the Indian Penal Code.

**-And-**

In the matter of : **Mithu Hamid @ Hamid Sk.**

... .. Petitioner

*Mr. Navanil De,*  
*Mr. Srijan Ghosh,*  
*Mr. Subhrajit Dey, Advocates*  
... .. *For the Petitioner*

*Mr. Soumik Ganguly, Advocate*  
... ..*For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The first information report was lodged 86 days after the alleged incident.

Learned advocate appearing for the State draws the attention of the Court to the statements of the victim recorded under Section 164 of the Criminal Procedure.

Considering the statements of the victim recorded under Section 164 of the Criminal Procedure Code and considering the delay in the lodgment of the first information report, 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 also be 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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed.**

CRM (A) 3031 of 2022 is **disposed of.**

**(Debangsu Basak, J.)**

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