

06.07.2022

19

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3180 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **417** of **2022** dated **20.05.2022** under Section 376 of the Indian Penal Code, 1860.

And

In Re : Manas Kanjilal

..... petitioner

Mr. Swapan Kumar Mallick

Ms. Sudeshna Das

....for the petitioner

Ms. Kumkum Mitra

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, there were two counter police complaints, one being filed at the behest of the petitioner and the present police complaint. He submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.). She also refers to the medical report of the victim.

The medical report of the victim does not specify that there was any assault on the victim or any sexual assault.

Considering the materials in the case diary, the gravity of the offence and considering the fact that there are two counter police complaints, 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 further condition that the petitioner shall meet the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner shall appear on every date 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.)

