

10.08.2022
Serial no.14
Aloke

CRM (A) 3804 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 309 of 2022 dated 27.07.2022 under Sections 448/417/376/596 of the Indian Penal Code.

-And-

In the matter of : **Tapas Kumar Mandal**

... ... Petitioner

Mr. M. Chatterjee, Advocate
Mr. Debapriya Majumder, Advocate
Mr. P. Hazra, Advocate

... ... For the Petitioner

Mr. Joydeep Roy, Advocate
Mr. Amanul Islam, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure where she admits a pre-existing relationship between her and the petitioner and considering the age of the victim and considering the fact that the victim refused medico legal examination, 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 condition that the petitioner shall meet the Investigating Officer once in a fortnight till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 3804 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)