

09.09.2022

Sl.18

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4352 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raninagar** Police Station Case No. **276 of 2022** dated **24.07.2022** under Sections **417/376** of the Indian Penal Code.

And

In the matter of: **Bellal Hossain @ Bellal Sk.**

....petitioner.

Mr. Tapodip Gupta

...for the petitioner.

Mr. Avik Ghatak

...for the State.

Petitioner prays for 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 statement of the victim recorded under Section 164 of the Code of Criminal Procedure. He submits that the victim refused to undergo medical examination. He draws the attention of the Court to the contents of the First Information Report and the statement recorded under Section 164 of the Code of Criminal Procedure.

Apparently, there are discrepancies between the statement recorded under Section 164 of the Code of Criminal Procedure and that of the police complaint lodged. The victim refused to undergo medical examination.

In such circumstances, 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/- (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 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4352 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)