

12.09.2022
Serial no. 29
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 4370 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **289** of **2022** dated **07.06.2022** under Sections **448/376/506** of the Indian Penal Code (G. R. Case No. **1375 of 2022**)

-And-

In the matter of : **Sultan Mia @ Sultan Miya**
... .. Petitioner

Mr. Musharraf Alam Sk., Advocate
... .. *For the Petitioner*

Md. Anwar Hossain,
Ms. Ratna Ghosh, Advocates
... ..*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 Criminal Procedure Code as well as to the medical examination report of the victim.

The medical examination report of the victim does not suggest that the victim suffered any injuries.

The medical opinion is inconclusive as to whether or not the petitioner ravished her.

Considering the materials in the case diary, the medical examination report and the opinion of the Doctor who examined the victim, 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 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) 4370 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)