

29.09.2022.

26.

AD/KC

(Allowed).

C.R.M. (A) 4702 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Islampur P.S.** Case No.418 of 2022 dated 13.09.2022 under Sections 448/376/511 of the Indian Penal Code.

In the matter of : Kawsar Mondal @ Kaosar Ali
... Petitioner.

Mr. M. Chatterjee
Md. G. N. Imrohi
Mr. Debapriya Majumdar
...for the Petitioner.

Mr. Imran Ali
Mr. M.F.A. Begg
...for the State.

It is contended on behalf of the petitioner there is a family dispute between the parties and he has been falsely implicated.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Allegation of attempt to ravish the victim requires to be assessed in the light of the aforesaid submission relating to pre-existing enmity between the parties. Under such circumstances, we are of the opinion though custodial interrogation of the petitioner is not necessary, movement of the petitioner requires to be restricted in order to instill confidence in the mind of the de-facto complainant and other witnesses.

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 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 appear before the trial court and pray for regular bail within a period of four weeks from date and on further condition that the petitioner while on bail shall not enter the jurisdiction of Islampur Police Station except for the purposes of investigation and/or attending court proceeding and shall provide the address where he shall reside while on bail to the Investigating Officer as well as the court below and report to the Officer-in-charge of the concerned Police Station within whose jurisdiction he shall reside once in a week until further orders.

This application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)