

09.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5095 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khargram** Police Station Case No. **331** of **2022** dated **20.08.2022** under Sections 417/376 of the Indian Penal Code, 1860.

And

In Re : Imran Mollick @ Irman Mallick

..... petitioner

Mr. Manas Kumar Das

....for the petitioner

Mr. S. G. Mukherjee, learned Public Prosecutor

Mr. Aniket Mitra

....for the State

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure claims that there was a pre-existing relationship between the petitioner and the victim.

Both the victim and the petitioner are adults. They are supposed to be aware of the consequences of the relationship. The medical examination report of the victim does not suggest that there was any physical relationship in the recent past.

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/-, 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.)

(Md. Shabbar Rashidi, J.)