

17.11.2022

23

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5255 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. **400** of **2022** dated **04.10.2022** under Sections 448/376/511 of the Indian Penal Code, 1860.

And

In Re : Kenaram Ghosh @ Kinu

..... petitioner

Mr. Arup Kumar Bhowmik
....for the petitioner

Mr. Arup Kumar Mondal
....for the State

The petitioner and the de-facto complainant are relatives.

The de-facto complainant declined to undergo medico legal examination test.

The de-facto complainant is yet to record a statement under Section 164 of the Code of Criminal Procedure.

Considering the materials in the case diary, 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.)