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(AD) 29.11.2022

C.R.M. (A) 5516 of 2022

Court No.29
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Arambagh** Police Station Case No.**198 of 2022** dated **08/07/2022** under Sections **341/323/325/354B/308/379/504/506/34** of the Indian Penal Code, 1860.

And

In the matter of: **Sekh Abdul Azim @ Abdul Azim**

....petitioner.

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

...for the petitioner.

Mr. Prasun Kumar Datta, Ld. APP
Mr. Santanu Deb Roy

...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 submits that all co-accuseds were enlarged on bail. The statement of the victim recorded under Section 164 of the Code of Criminal Procedure implicates the petitioner in the incident of outraging the modesty.

Apparently, there was a commotion in which, there was an assault. Large number of persons were involved. In such context, the allegation of outraging of modesty is made.

The police filed charge sheet.

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 also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5516 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)