

30.11.2022

24

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5542 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. **400** of **2021** dated **08.08.2021** under Sections 376/511/323/506/34 of the Indian Penal Code, 1860.
And

In Re : Ratan Mandal

..... petitioner

Mr. Soupal Chatterjee
Ms. Sucheta Banerjee
....for the petitioner

Md. Anwar Hossain
Ms. Ratna Ghosh
....for the State

It is claimed on behalf of the petitioner that, the petitioner was falsely implicated in view of the longstanding civil disputes between the private parties.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) She submits that, the victim refused to undergo any medical examination.

The victim in her 164 Cr.P.C. statement states that, the disputes between the private parties stand settled.

In view of such statement, 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 as and when called for 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.)