

18.01.2023

29

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 234 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **1101** of **2022** dated **15.09.2022** under Sections 448/376/506 of the Indian Penal Code.

And

In Re : Islam Ali

..... petitioner

Ms. Minoti Gomes

Mr. Arup Sarkar

....for the petitioner

Mr. Sudip Kumar

....for the State

Although, the victim implicates the petitioner in her statement recorded under Section 164 of the Code of Criminal Procedure, she refused to undergo medico legal test.

The incident, as claimed by the victim, apparently, as on date is not corroborated by any independent version.

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 fortnight 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.)