

06.02.2023

Court No.29
Item No.37
(Allowed)

CRM (A) 505 of 2023

Saswata

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Murutia Police Station Case No. 245 of 2022 dated 29.09.2022 under Sections 498a/324/376/511/307/34 of the Indian Penal Code;

And

In the matter of : **Kashinath Ghosh**

...Petitioner

**Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee**

...For the Petitioner

Mr. Anghsuman Chakraborty

...For the State

There is a police complaint involving the private parties. Although, there is a claim for attempt to rape made by the *de facto* complainant, such allegation is not corroborated by statement recorded under Section 161 of the Code of Criminal Procedure. On the contrary, such statement says that there was no attempt to rape.

In such circumstances, we grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is, thus, ***allowed***.

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 further condition that the petitioner shall meet the Investigating Officer once in a month till completion of the investigation.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

