

28.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 874 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Purulia (T)** Police Station Case No. **190** of **2022** under Sections 448/323/506/511/376 of the Indian Penal Code, 1860.

And

In Re : Mahammad Ahmmed Ansari @ Mohammad Ahmad
..... petitioner

Mr. Arindam Sen
Mr. Sagnik Bhattacharya
Md. Shahinurzaman
Mr. Rishav Gupta
....for the petitioner

Md. Anwar Hossain
Ms. Manisha Sharma
....for the State

The victim refused to record her statement under Section 164 of the Code of Criminal Procedure.

The materials in the case diary do not suggest requirement of custodial interrogation of the petitioner.

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 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.)