

13.03.2023

Sl.60

Court No.29

(AD)

(Allowed)

C.R.M. (A) 992 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection **Dhantala** Police Station Case No. **811 of 2022** dated **17.11.2022** under Sections **376/417/323/506/34** of the Indian Penal Code and Section **6** of the Protection of Children from Sexual Offences Act. Subsequently charge sheet submitted under Sections **341/323/354/506/34** of the Indian Penal Code.

And

In the matter of: **Nirmal Modak**

....petitioner.

Mr. Prabir Majumder

...for the petitioner.

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

...for the State.

Petitioner prays for anticipatory bail.

The police filed charge sheet.

Principal accused was granted bail by this Hon'ble Court.

Apparently, there was a love affair between the victim and the principal accused.

Petitioner before us is the brother of the principal accused.

Considering the materials in the case diary as against the present petitioner, his involvement in the incident and the narration of events as noted above, 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) 992 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)