

13.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 981 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nowda** Police Station Case No. **60** of **2023** dated **17.02.2023** under Sections 498(A)/376/511/506 of the Indian Penal Code.
And

In Re : Abdul Kalam Sekh @ Kalam Sk.

..... petitioner

Mr. Tapodip Gupta

....for the petitioner

Mr. S. S. Imam

Mr. R. Jana

....for the State

The statement of the de-facto complainant recorded under Section 164 of the Code of Criminal Procedure claims that, there was an attempt of rape on her during noon time by the petitioner.

The incident allegedly occurred at the residence of the de-facto complainant.

The materials in the case diary does not corroborate the claim of the de-facto complainant, at this stage.

In such circumstances, we deem it appropriate to 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.)