

16.03.2023

Sl.27

Court No.29

(AD)

(Allowed)

C.R.M. (A) 1096 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hogalberia** Police Station Case No.**14 of 2023** dated **22.01.2023** under Sections **341/354/34** of the Indian Penal Code.

And

In the matter of: **Joydeb Sharma @ Joy Sharma @ Joydev Sharma**

....petitioner.

Ms. Minoti Gomes

... for the petitioner.

Mr. Debabrata Chatterjee, Ld. APP

Mr. Santanu Chatterjee

...for the State.

Petitioner prays for anticipatory bail.

The de facto complainant refused to undergo medical examination as also recorder her statement under Section 164 of the Code of Criminal Procedure.

Considering the materials in the cue diary, the gravity of the offence and the conduct of the de facto complainant, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer as and when called for 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 1096 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)