

20.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1121 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **178** of **2023** dated **05.03.2023** under Sections 376/511 of the Indian Penal Code, 1860.

And

In Re : Shyama Pada Mandal

..... petitioner

Mr. Asraf Mondal

....for the petitioner

Mr. Bidyut Kumar Roy

Ms. Sima Biswas

....for the State

There are previous police complaint between the private parties.

The claim of attempt of rape is not corroborated by materials available in the case diary.

Considering the gravity of the offence and the involvement of the petitioner in the incident and his age, 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.)