

28.03.2023

33

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1267 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. **211** of **2023** dated **17.03.2023** under Section **376** of the Indian Penal Code.

And

In the matter of : Biswajit Haldar @ Halder

..... petitioner

Mr. Asraf Mandal

....for the petitioner

Mr. Gautam Banerjee

....for the State

The victim refused to undergo medical test. The claims made in the statement under Section 164 of the Criminal Procedure Code at this stage remain uncorroborated.

There is a counter police case.

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/- (Rupees Ten Thousand only), 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 in a month till the conclusion of 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.)