

10.04.2023
Serial no. 18
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 1484 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with G.R. case no. 720 of 2023 arising out of **Farakka** Police Station Case No. **144** of **2023** dated **25.03.2023** under Sections **376** of the IPC.

-And-

In the matter of : **Majibur Sk.**

... .. Petitioner

Mr. Mrityunjoy Chatterjee,
Mr. R. R. Kumar,
Mr. Tushar Hazra, Advocate
... .. *For the Petitioner*

Mr. Angsuman Chatterjee, Advocate
... ..*For the State*

There is an issue of false implication involved.

Apparently, the daughter of the petitioner lodged a complaint of rape as against one Jabbar. The present police complaint apparently was instigated by Jabbar as against the petitioner as a counter-blast.

Statement under Section 164 of the Criminal Procedure Code is yet to be recorded.

The medical examination report does not corroborate the claim of the de facto complainant.

In such circumstances, we are inclined 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 report before the Investigating Officer as and when called for till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 1484 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)