

11.04.2023
Serial no. 16
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 1505 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Dhubulia** Police Station Case No. **39** of **2023** dated **04.02.2023** under Sections **354C/376/506/34** of the IPC.

-And-

In the matter of : **Akbar Sekh**

... .. Petitioner

Mrs. Karabi Roy, Advocate
... .. For the Petitioner

Mr. Sudip K Umar, Advocate
... .. For the State

Principal accused was enlarged on bail by this Hon'ble Court.

The coordinate Bench considered the delay in lodging the first information report and the allegation of rape to be considered in line of the submissions, during trial and as also the detention of the principal accused as grounds in enlarging the principal accused on bail.

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 once in a fortnight 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) 1505 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)