

04.05.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1891 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Karimpur** Police Station Case No. **96** of **2023** dated **19.04.2023** under Sections 448/376/511 of the Indian Penal Code, 1860.

And

In Re : Sujit Mondal

..... petitioner

Mr. Atis Kumar Biswas

....for the petitioner

Mr. Debabrata Chatterjee

Mr. Santanu Chatterjee

Ms. Mousumi Sarkar

....for the State

Petitioner claims to be falsely implicated due to the petitioner taking part in a mediation with regard to matrimonial dispute.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Attempt to rape is the allegation as against the petitioner. The case diary, at this stage, does not contain any corroborative material of such claim of the victim.

There is an issue of false implication involved also.

In such circumstances, 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.)