

29.05.2023

Sl. 75
Court No.4
Sws, M/
suvayan
(Allowed)

CRM (A) 2161 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** P.S. Case No. **740 of 2021** dated **04/09/2021** under Sections **448/376/506** of the Indian Penal Code.

And

In the matter of: Najimul

....petitioner.

Mr. Soupal Chatterjee
Ms. Sucheta Banerjee

...for the petitioner.

Mr. Arijit Ganguly
Ms. Sujata Das

...for the State.

Learned Advocate for the petitioner submits about absence of any tangible material sufficient enough to detain his client behind the bar.

Learned Advocate representing the State has raised a strong objection on the ground that medical report available in the case diary would be enough to implicate the present petitioner in the present case.

So far as the offence under Section 376 of the IPC is concerned that the materials in the case diary would not suggest anything sufficient against the present petitioner to warrant his custody at this stage.

Considered the same and also considering the materials on record and submissions of the respective parties, 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.5,000/- (Rupees Five Thousand Only) with two sureties of like

amount each, one of whom must be local. Petitioner is directed in this case to surrender before the jurisdictional Court within four weeks. Till the petitioner surrender, he shall meet with the Investigating Officer once a week and/or when called for.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 2161 of 2023 is, thus disposed of.

(Tirthankar Ghosh, J.)

(Rai Chattopadhyay, J.)