

17.07.2023
(M/L 81)
Ct. No.29
Allowed
(SKB)

CRM (A) 2476 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Suti P.S. Case No.263 of 2023 dated 12.05.2023 under 376/511/324/325/326/307/34 of the Indian Penal Code.

In the matter of : Debarata Das @ Debabrata Das
@ Shubhankar Das and others
... Petitioners

Ms. Sreyashee Biswas,
Ms. Benajir Hasna,
Mr. Aliul Islam
... for the petitioners

Mr. Joydap Roy,
Mr. A. Islam
... for the State

1. Heard the learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the victim recorded under Section 161 Cr.P.C. and the injury report in respect of her. Investigation is stated to have progressed substantially. There is no allegations of attempt to rape by the petitioner no.1 in the aforesaid statement of the victim.
3. Regard being had to the facts and submissions, factum of permanent residence of the petitioners, nature of injury sustained by the victim which is opined to be simple and substantial progress to the investigation, it is directed that each of the petitioners shall be released on bail by

the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being CRM(A) 2476 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)