

18.07.2023
(M/L 125)
Ct. No.29
Allowed
(SKB)

CRM (A) 2522 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Ratua P.S. Case No.391 of 2022 dated 20.07.2022 (corresponding G.R. No.1865 of 2022) under Sections 448/323/376/511/34 of the Indian Penal Code.

In the matter of : Sk Samed @ Samed SEkh
... Petitioner

Ms. Minoti Gomes
... for the petitioner

Mr. Avik Ghatak
... for the State

1. Heard the learned Counsel for the parties.
2. From the statement of the victim under Section 164 Cr.P.C., we do not find any ingredients under Section 376/511 IPC though there is some allegation to that effect at the fringe in the FIR lodged by the victim. Charge-sheet is stated to be filed.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned ACJM, Chanchal, Malda in G.R. No.1865 of 2022 arising out of the aforesaid P.S. case within 15 days from today. On his appearance and application for bail, he shall be released on bail on such

terms and conditions as deemed just and proper in the facts and circumstances of the case.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being CRM(A) 2522 of 2023 is disposed of.
6. The learned court below is hereby directed to act upon the server copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)