

26.07.2023
SL. 19
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2695 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No. **53** of **2023** dated **13.01.2023** under Sections **376(2)(f)/506** IPC (corresponding to G.R. Case No. **118** of **2023**).

And

In the matter of: **Hasimuddin @ Hasimuddin Sekh**
....petitioner.

Ms. Minoti Gomes
Ms. Sabnam askar
...for the petitioner.

Mr. Ranadeb Sengupta
...for the State.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the victim recorded under Section 164 Cr.P.C. and other witnesses recorded under Section 161 Cr.P.C.
3. The victim has declined medical examination. The occurrence happened on 08.10.2022. The statement of the co-villagers including the statement of the mother and brother of the victim shows that on the date of the alleged incident, the victim was not there in her matrimonial home where the offence is alleged to have been committed by the present petitioner.
4. Investigation is stated to have progressed substantially.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer in the aforesaid

P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 2695 of 2023** is disposed of.
9. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

