

22.08.2023
ML. 321
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3126 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Gangarampur** Police Station Case No. **195 of 2023** dated **04.05.2023** under Sections **448/376/511/379** of the IPC.

And

In the matter of: **Gobin Tudu @ Gobinda Tudu**

....petitioner.

Mr. Kaushik Choudhury
Ms. Busra Khatoon

...for the petitioner.

Mr. S. S. Imam
Mr. Sk. Arif Hossain

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed before us including the statement of the victim recorded under Section 164 Cr.P.C.

The allegation by the victim reveals a *prima faice* case of indecent assault which falls short of offence under Sections 376/511 IPC at least *prima facie*.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his 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 including the conditions that:
 - i) The petitioner is directed to appear before the I.O. once in a week on the day and time fixed by the I.O. for the purpose of investigation till submission of F.F.
 - ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner

whatsoever during the currency of this order.

4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3126 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

