

20.11.2023
SL. 9
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4268 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Krishnagar Kotwali** Police Station Case No. **736 of 2023** dated **02.08.2023** under Sections **447/376** of the IPC.

And

In the matter of: **Sunil Mondal**

....petitioner.

Mr. P. Majumder
Mr. S. Majumder
Mr. D. Shil

...for the petitioner.

Mr. Narayan Prasad Agarwala
Mr. Pratick Bose

...for the State.

1. Heard learned Counsel for both the parties.
2. Drawing attention to the Annexure-P1 of the petition for anticipatory bail it is argued on behalf of the petitioner that on account of a neighborhood rivalry between the present petitioner and the husband of the informant the instant case has been lodged.
3. From the materials as placed before us, we find that in a statement as recorded under Section 164 Cr.P.C. though the victim lady has stated about the sexual harassment by the present petitioner on the alleged day of incident but she declined to undergo medical examination.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence 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.
5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
 6. 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.
 7. Accordingly, the prayer for the anticipatory bail is allowed.
 8. The application being **CRM (A) 4268 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

