

13.12.2023
SL.54
Court No. 29
Aloke

C.R.M. (A) 4651 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nabadwip** Police Station Case No. **569** of **2023** dated 28.09.2023 under Sections **448/376/325** IPC.

And

In the matter of: **Jasim Sk.**

....petitioner

Ms. Minoti Gomes
Mr. Dhananjay Banerjee
Ms. Oindrila Ghosh

...for the petitioner

Mr. Goutam Wilson

... for the State.

1. Heard learned Counsel for the parties.
2. On perusal of the entire materials as placed before this Court including the written complaint and the statement of the victim as recorded under Section 164 Cr.P.C., we do not find any prima facie materials to attract the provision of Section 376 IPC. Though, prima facie there are some materials under Section 354 IPC.
3. Regard being had to such facts and submissions, 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 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.
4. The petitioner is directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of

investigation till submission of Final Form.

5. The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
6. Accordingly, the prayer for anticipatory bail is allowed.
7. The application being **CRM (A) 4651 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

