

CRM (A) 6014 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Chanchal Police Station Case No. 803 of 2022 dated 21.07.2022 under Sections 341/376/506/34 of the Indian Penal Code.

-And-

In the matter of : **Washim Ali @ Ashim Aktar**

... .. Petitioner

Ms. Sabnam Laskar, Advocate

... .. For the Petitioner

Mr. Avishek Sinha, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

This is the second police complaint as against the petitioner at the behest of the same de facto complainant.

The claim for rape as made in the statement recorded under Section 164 of the Code of Criminal Procedure, at this stage is not corroborated by the medical examination report of the victim.

In such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner

in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 6014 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)