

02.01.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 6024 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. **1388** of **2022** dated **22.11.2022** under Sections 341/354D/376/506/109 of the Indian Penal Code, 1860.

And

In Re : Kalicharan Mandal @ Charan Chaupal

..... petitioner

Mr. Kallol Mondal

Mr. Krishan Ray

Mr. Souvik Das

....for the petitioner

Mr. Joydeep roy

Mr. Amanul Islam

....for the State

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure claims that, she was abducted from a park and thereafter raped.

The medical examination of the victim states that, the victim did not suffer any external injury.

There are statements of persons in the locality of the park who claims that they did not see the incident happening or did not hear about such incident.

In such circumstances, we 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/-, 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 further condition that the petitioner shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)