

09.01.2024

Item No.227(D.L.)

Ct.No.29

dc.

Allowed

C.R.M. (A) 38 of 2024

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Bamangola Police Station Case No. 178 of 2023 dated 04.11.2023 under Sections 448/376/511 of the Indian Penal Code.

And

In Re : **Shiv Hansda @ Shib Hansda**
... Petitioner.

Mr. Kalidas Saha
... For the Petitioner.

Mr. Pinak Kumar Mitra
... For the State.

Petitioner prays for anticipatory bail.

There is a delay of four months in lodging the FIR.

The statement of the victim recorded under Section 164 of the Cr.P.C. claims an attempt to rape her.

Considering the gravity of the offence and the involvement of the petitioner in the incident as transpired from the materials in the case diary, 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/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also 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 will report before 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.

The application for anticipatory bail is, thus, allowed.

CRM(A) 38 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)