

11.01.2024
Item No.66(D.L.)
Ct.No.29
srm/dc.
Allowed

C.R.M. (A) 72 of 2024

In Re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Hanskhali Police Station Case No. 956 of 2023 dated 03.12.2023 under Sections 376/506/34 of the Indian Penal Code.

And

In Re : **Ajim Dafadar** ... Petitioner.

Ms. Minoti Gomes,
Mr. Sourav Mukherjee ... For the Petitioner.

Md. Kutubuddin ... For the State.

Affidavit-of-service filed in Court be taken on record.

None appears for the victim despite service.

Petitioner prays for anticipatory bail.

Victim recorded her statement under Section 164 of the Code of Criminal Procedure.

In her statement, she says that, she was taken to Delhi by the petitioner on promise of job where she was raped. She was rescued by her uncle.

There was a delay in lodgment of first information report.

The victim is married to a different person.

Victim is also an adult.

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/- (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) 72 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)