

22.01.2024

Serial no. 12
Anticipatory bail
[Allowed]
Dd

CRM (A) 178 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Pukhuria** Police Station Case No. **16** of **2023** dated **16.01.2023** under Sections **448/323/376/511/354B/34** of the Indian Penal Code, 1860.*

(G.R. Case No. 141 / 2023)

-And-

*In the matter of : **Masidur @ Raisuddin Mia**
... .. **Petitioner***

*Mr. Kalidas Saha, Advocate
... .. For the Petitioner*

*Mr. Ashok Das, Advocate
... ..For the State*

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

None appears for the de facto complainant.

The de facto complainant recorded a statement under Section 164 of the Criminal Procedure Code where, she claims that the petitioner attempted to rape her.

The police complaint was registered after 53 days from the date of the incident.

Police filed charge sheet.

Considering the materials in the case diary and the delay in the lodgment of the police complaint and considering the fact that police filed charge sheet, 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 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 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) 178 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)