

25.01.2024

DL.40

Court No.29

(AD)

(Allowed)

C.R.M. (A) 201 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Chanchal** Police Station Case No.**1395 of 2023** dated **15.10.2023** under Sections **448/376/506/34** of the Indian Penal Code, 1860 (G.R. Case No.3367 of 2023).

And

In the matter of: **Alamin @ Alamin Ali**

....petitioner.

Mr. Imadul Hoque

...for the petitioner.

Ms. Sayanti Santra

... for the State.

Victim refused to undergo medical examination.

Victim in her statement claimed that she was raped by the petitioner at knife point and when her mother came from the bathroom, the petitioner fled away.

Claim of the de facto complainant remains uncorroborated at this stage on the basis of the materials in the case diary.

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 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 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 201 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)