

01.02.2024

06
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 303 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **849 of 2023** dated **29.10.2023** under Sections **447/325/307/354/379/506/34** of the Indian penal Code.

And

In Re: Bikash Halder

..... petitioner

Mr. Asraf Mandal

....for the petitioner

Mr. S.S. Imam

Ms. Jonaki Saha

...for the State

Affidavit of service filed in Court be taken on record.

None appears on behalf of the victim.

Apparently, an incident of assault took place where two persons suffered injuries.

None of the injuries was classified as grievous hurt.

A number of persons were involved in the incident including ladies. In such context, the allegation of outraging of modesty can be decided at the trial.

Consequently, 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. The petitioner will report before the Investigating Officer once a month till the conclusion of the investigation. 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.)