

28.02.2024
DL-32
Court No.29
(AD)
(Allowed)

C.R.M. (A) 502 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No.**377 of 2023** dated **23.12.2023** under Sections **341/323/376/511/34** of the Indian Penal Code, 1860.(Sl. No.2577 of 2023).

And

In the matter of: **Nemai Mahato**

....petitioner.

Mr. Asraf Mandal

...for the petitioner.

Mr. Debasish Roy, Ld. PP

Ms. Rita Datta

... for the State.

Victim is unrepresented despite being informed of the pendency of the proceedings by the State pursuant to our order dated February 21, 2024.

Victim recorded her statement under Section 164 of the Code of Criminal Procedure where she claimed that there was an incident of assault where an attempt of rape was made.

A large number of persons were involved, on the statement of the victim, in the incident of assault where the allegation of an attempt to rape was made.

Apparently, there is also a money transaction involved.

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 month 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) 502 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)