

28.02.2024
DL-33
Court No.29
(AD)
(Allowed)

C.R.M. (A) 519 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Thanarpara** Police Station Case No.**256 of 2023** dated **15.11.2023** under Sections **376/511/509/506/34** of the Indian Penal Code, 1860.(Sl. No.2291 of 2023).

And

In the matter of: **Tarikul Mondal @ Tarikul Malithya**
....petitioner.

Mr. Asraf Mandal

...for the petitioner.

Mr. Prosun Kumar Dutta, Ld. APP

Mr. Apurba Kumar 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.

There is a previous police complaint.

Apparently, the victim recorded her statement under Section 164 of the Code of Criminal Procedure claiming that there was an attempt to rape her.

There is a delay of thirty days in the lodgment of the First Information Report.

Materials in the case diary do not suggest requirement of custodial interrogation of the petitioner.

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) 519 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)