

05.03.2024

DL-18

Court No.29

(AD)

(Allowed)

C.R.M. (A) 765 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.**917 of 2023** dated **21.07.2023** under Sections **448/376/511/379/506** of the Indian Penal Code, 1860.(G.R. Case No.2164 of 2023).

And

In the matter of: **Rabiul Hoque**

....petitioner.

Mr. Sagar Saha

...for the petitioner.

Mr. Sandip Chakraborty

... for the State.

Affidavit of service filed in Court be taken on record.

None appears for the de facto complainant.

Case diary contains a statement recorded under Section 164 of the Code of Criminal Procedure of the victim claiming that there was an attempt to rape her.

Such statement remains uncorroborated on the materials as presently available in the case diary.

De facto complainant refused to undergo medical examination.

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) 765 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)