

11.03.2024

Serial no. 26

Anticipatory bail

[Allowed]

Dd

CRM (A) 862 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Jhargram All Women** Police Station Case No. **15** of **2024** dated **20.02.2024** under Sections **376/506** of the Indian Penal Code, 1860.*

-And-

*In the matter of : **Pallab Manna***

*... .. **Petitioner***

*Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha, Advocates
... .. For the Petitioner*

*Ms. Subhasree Patel, Advocate
... ..For the State*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated due to village politics.

Affidavit-of-service filed in Court be taken on record. None appears for the de facto complainant.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Criminal Procedure Code and the medico examination report of the victim.

In her statement recorded under Section 164 of the Criminal Procedure Code the victim claims that, the petitioner entered into her room, tied her hands and legs and, thereafter, raped her. Medico examination report apparently tends not to corroborate such a claim of the victim. No other materials in the case diary lend any credence to her statement, at this stage.

Possibility of false implication there exists.

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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall report before the Investigating Officer once in a week till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 862 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)