

08.04.2024
Item No.67
AD/SD
Court No.28
(Allowed)

C.R.M. (A) No. 1132 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Taldangra** Police Station Case No. **10 of 2024** dated **05.02.2024** under Sections **354B/506** of the Indian Penal Code, 1860 pending before the Learned Additional Chief Judicial Magistrate Court, Khatra, District-Bankura. (G.R. Case No.83 of 2024)

And

In Re : Mrinalkanti Bhuin

..... petitioner

Mr. Tushar Kanti Har
Mr. Sudip Kumar Chakraborty
Mr. Somnath Chakraborty

.....for the petitioner

Mr. Arijit Ganguly
Ms. Suveni Banerjee

....for the State

1. Petitioner submits he has been falsely implicated due to political rivalry. He prays for anticipatory bail.
2. Learned Lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Petitioner is a medical technician. He performed ECG test on the victim. Credibility of the allegation of molestation has to be assessed in light of the submission that there is political rivalry between the parties.
4. Under such circumstances, we are of the opinion custodial interrogation for progress of investigation is not necessary and petitioner may be granted anticipatory bail.

5. 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 and on condition that he shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.
6. The prayer for anticipatory bail of the petitioner is allowed.
7. **C.R.M. (A) No. 1132 of 2024** is disposed of.

(Prasenjit Biswas, J.)

(Joymalya Bagchi, J.)