

21.03.2024

Serial no. 06
Anticipatory bail
[Allowed]
Dd

CRM (A) 962 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. **30** of **2024** dated **13.02.2024** under Sections **448/376/511** of the Indian Penal Code, 1860 pending before Learned ACJM, Tehatta, Nadia.

-And-

In the matter of : **Goutam Biswas @ Gautam Biswas**
... .. **Petitioner**

Mr. Asraf Mandal, Advocate
... .. For the Petitioner

Mr. Binay Panda,
Mr. Subham Bhakat, Advocates
... ..For the State

Mr. Snehansu Majumder, Advocate
... ..For the de facto complainant

Petitioner, State and the de facto complainant are represented.

De facto complainant recorded a statement under Section 164 of the Criminal Procedure Code where, she claims that there was an attempt to rape her at the behest of the petitioner.

Materials in the case diary suggest that the petitioner lent and advanced money to the de facto complainant. Towards repayment of such loan, two cheques were issued by the de facto complainant which were dishonoured on presentation.

Issue of false implication remains. There is also an issue of delay in lodgment of the first information report of about 40 days.

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 as and when called for 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) 962 of 2024 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)