

07.05.2024
Item No.55
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1506 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Marishda** Police Station Case No. **226** of **2023** dated **23.12.2023** under Sections **448/323/325/376/511/354/506/34** of the Indian Penal Code, 1860, pending before the Learned Additional Chief Judicial Magistrate at Contai, Purba Medinipur.

And

In the matter of : Shashanka De @ Shasanka Dey & anr.
..... petitioners

Ms. Minoti Gomes,
Mr. Mazhar Hossain Chowdhury
....for the petitioners

Mr. Arindam Sen,
Md. A. Zaki
....for the State
Petitioners pray for anticipatory bail.

None appears for the de facto complainant despite being notified by the State.

There is a delay in lodging the First Information Report.

Victim refused to undergo medical examination.

The statement of the victim recorded under Section 164 of the Criminal Procedure Code remains largely uncorroborated.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners will report before the Investigating Officer once in a week till the conclusion of investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1506 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)