

07.05.2024

DL-5
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1573 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sabang** Police Station Case No.**101 of 2024** dated **22.03.2024** under Sections **341/323/325/354B/307/376/506/34** of the Indian Penal Code, pending before the Learned Chief Judicial Magistrate, Paschim Medinipur. (G.R. Case No.778 of 2024).

And

In the matter of: **Angshu Kanti Makar @ Angshumanti Makar**
....petitioner.

Md. Sabir Ahmed

...for the petitioner.

Mr. Kunal Ganguly

... for the State.

1. Apparently, there are disputes between family members. Apparently, there was an incident of assault. Injuries suffered were not classified as grievous hurt.
2. Ladies on both sides were involved. Consequently, the issue as to whether there was any outraging of modesty may be decided at the trial. Allegation of rape on the face of the materials in the case diary at this stage remains uncorroborated. There is also an issue of delay in the lodgment of the First Information Report.
3. In such circumstances, we grant anticipatory bail to the petitioner.
4. 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 week 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.

5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. **C.R.M. (A) 1573 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)