

30.4.2024
SL No. 34
Ct No. 29
SB

C.R.M. (A) 1533 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Saktipur** P.S. Case No. 15 of 2024 dated 21.01.2024 under Sections 498A/324/376/506/34 of the Indian Penal Code.

And

In the matter of: Souvik Nandan & Ors.

....Petitioners

Mr. Sabir Ahmed
Mr. Tashim Ahmed
Mr. Dhiman Banerjee

...for the Petitioners

Mr. Imran Ali
Mr. Sufi Kamal

...for the State

1. Affidavit of service is taken on record.
2. None appears for the de facto complainant.
3. Police filed charge sheet.
4. De facto complainant recorded a Statement under Section 164 of the Code of Criminal Procedure where amongst others, she claims that she was raped on January 14, 2024 in presence of her husband.
5. In the same statement she claims that she went to undergo medical examination on January 21, 2024 but did not proceed with the same allegedly on the ground of her ill health.
6. Medical examination was refused by the de facto complainant.
7. The statement recorded under Section 164 of Code of Criminal Procedure of the de facto complainant contains allegations of property dispute.
8. In such circumstances, we grant anticipatory bail to the petitioners.

9. Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- 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. 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.
10. This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)