

07.05.2024
Item No.60
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1570 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. **96** of **2024** dated **11.04.2024** under Sections **448/376/509** of the Indian Penal Code, pending before the Learned Additional Chief Judicial Magistrate, Tehatta, Nadia.

And

In the matter of : Jadu Sekh

..... petitioner

Mr. Asraf Mandal,
Ms. Sanjana Saha
....for the petitioner

Mr. Anand Keshri,
Mr. Aslam Parvez
....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the State submits that, the de facto complainant refused to accept service of the intimation as to the pendency of the proceeding.

Affidavit-of-service filed on behalf of the petitioner be taken on record.

None appears for the de facto complainant.

There is a delay in lodging the First Information Report.

De facto complainant refused to undergo medical examination.

The narration in the statement under Section 164 of the Criminal Procedure Code of the victim remains uncorroborated at this stage.

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 will report before the Investigating Officer once in a week till the conclusion of 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 1570 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)