

09.05.2024
Item No.26
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1580 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ramnagar** Police Station Case No. **145** of **2024** dated **28.03.2024** under Sections **448/376/511/506** of the Indian Penal Code, pending before the Learned Additional Chief Judicial Magistrate, Contai, Purba Medinipur.

And

In the matter of : Bapi Barik

..... petitioner

Mr. Pravas Bhattacharya
....for the petitioner

Mr. Arindam Sen,
Mr. Shiladitya Banerjee
....for the State

De facto complainant was notified by the State.

Affidavit to such effect be taken on record.

None appears for the de facto complainant.

In a statement recorded under Section 164 of the Criminal Procedure Code, the de facto complainant claims that, the petitioner attempted to rape her.

De facto complainant refused to undergo medical examination.

The attempt to rape apparently occurred at a residential area.

Materials in the Case Diary does not corroborate the version of the de facto complainant at this stage.

Consequently, 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 one 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) 1580 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)