

10.05.2024

DL-3
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1635 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Khatra** Police Station Case No. **16 of 2024** dated **03.03.2024** under Sections **448/323/326/448/354/506/109** of the Indian Penal Code, 1860, which is currently pending in the Court of the Learned Additional Chief Judicial Magistrate, Khatra as with Khatra Sub-Division G.R. Case No.164 of 2024.

And

In the matter of: **Goutam Kabartta**

....petitioner.

Mr. Rhiddhiman Mukherjee

Mr. Arkaprabho Roy

...for the petitioner.

Mr. Atif Ahmed Siddiqui

... for the State.

1. Apparently, an incident of altercation gave rise to assault. Two persons suffered injuries in such assault. None of the injuries were classified as grievous hurt.
2. Issue as to whether, there was an outraging of modesty, may be decided at the trial.
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) 1635 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)