

21.05.2024

DL-44
Court No.3
(AD)
(Allowed)

C.R.M. (A) 1767 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No.**222 of 2024** dated **29.03.2024** under Sections **447/325/308/376/511/34** of the Indian Penal Code, 1860, now pending before the Learned Additional Chief Judicial Magistrate, Tehatta, Nadia. (S.L. No.642 of 2024).

And

In the matter of: **Sourab Sardar**

....petitioner.

Mr. Asraf Mandal

...for the petitioner.

Mr. Arindam Sen

Ms. Purnima Ghosh

... for the State.

Mr. Amanul Islam

Mr. Sourav Mukherjee

... for the de facto complainant.

1. Petitioner, State and the de facto complainant are represented.
2. Apparently, an incident of assault took place where, the de facto complainant suffered sharp-cut injury.
3. It is claimed in the statement recorded under Section 164 of the Code of Criminal Procedure that, there was an attempt to rape.
4. Materials in the case diary do not suggest requirement of placing the petitioner in custody at this stage.
5. In such circumstances, we grant anticipatory bail to the petitioner.
6. 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.

7. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
8. **C.R.M. (A) 1767 of 2024** is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)