

22.05.2024

Serial no. 35

Anticipatory Bail

[Allowed]

Dd

CRM (A) 1780 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **216** of **2024** dated **03.03.2024** under Sections **448/376/511/323/354/34** of the Indian Penal Code, 1860 pending before Ld. Chief Judicial Magistrate, Raiganj, Uttar Dinajpur.*

-And-

In the matter of : **Kamal Barman & Anr.**
... .. **Petitioners**

Mr. Jisan Iqbal Hossain, Advocate
... .. *For the Petitioners*

Mr. Arnab Chatterjee,
Ms. Purnima Ghosh, Advocates
... ..*For the State*

There is a counter police complaint with regard to an incident of assault.

De facto complaint recorded a statement under Section 164 of the Criminal Procedure Code where, she claims that there was an attempt of rape in presence of a number of persons.

Affidavit-of-service filed in Court be taken on record. None appears for the de facto complainant.

Materials in the case diary do not suggest requirement of custodial interrogation at this stage.

Consequently, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 and on further condition that the petitioners shall report before the Investigating Officer once in a week till the conclusion of the investigation and on further condition that 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 1780 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)