

19.8.2024
SL Nos. 6
Ct No. 29
SB

CRM (A) 2597 of 2024

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure / Section 482 of B.N.S.S. Act, 2023 filed in connection with Raghunathganj Police Station Case No. 337 of 2024 dated 05.4.2024 under Sections 341/376 of Indian Penal Code.

And

Md. Samim Sk.

Vs.

The State of West Bengal & Anr.

Mr. Pinak Mitra

Mr. S. Ghosh

... for the Petitioner

Mr. Debasish Roy, Ld. P.P.

Ms. Sonali Das

Mr. Dipankar Paramanick

... for the State

Mr. Shasanka Sekhar Saha

... for the de facto complainant

1. Heard the learned advocates for the parties including the counsel for the de facto complainant.
2. Considering the statement in F.I.R., statement of victim, statement of mother recorded under Section 164 of Code of Criminal Procedure and the medical examination report wherefrom it reveals that the statement of the victim is not corroborated by such examination nor by statement of the mother of the victim, we are of the view that custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner namely, Md. Samim Sk. shall be released on bail upon furnishing a bond of Rs.10,000/- one of whom must be local, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. Petitioner shall meet the Investigating Officer once in a week till the submission of the final report.

4. It is further directed that the present petitioners shall appear before the learned Additional Chief Judicial Magistrate, Jangipur, Mushidabad in connection with G.R. Case No. 988 of 2024 within two weeks from date and pray for regular bail.
5. 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
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)