

22.01.2024
Court No.29
Item No. 117
AP

CRM (A) 4895 of 2023

In re : An application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Raghunathganj** Police Station Case No. **377** of **2023** dated **06.05.2023** under Sections **448/376/406** of IPC.

-And-

In the matter of : **Najibul Sk.**

... ..Petitioner.

Ms. Shabana Hasin

... .. For the Petitioner.

Mr. Imran Ali

Ms. Debjani Sahu

... ...For the State

Affidavit of serviced filed in Court today is taken on record.

None appears for the victim.

There is a previous police complaint against the private respondents.

The present police complaint was lodged 18 days after the date of the incident through an order passed under section 156(3) of the CrPC.

The victim recorded her statement under section 164 of the CrPC implicating the petitioner.

Issue of false implication remains out to the earlier police complaint.

In such circumstances, 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 shall report before the Investigating Officer once in a month till the conclusion of the investigation and on further 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.

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

Hence, the application for anticipatory bail is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)