

30.01.2024
SL No. 466
Ct No. 29
SB

C.R.M. (A) 5183 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chanchal P.S. Case No. 1382 of 2023 dated 13.10.2023 under Sections 323/341/354/506/34 of the Indian Penal Code and Section 12 of the POCSO Act.

And

In the matter of: Golam Rabbani

....Petitioner

Mr. Amal Krishna Samanta

...for the Petitioner

Mr. Ranadeb Sengupta

...for the State

Affidavit of service filed be taken on record.

None appears for the victim.

Learned counsel appearing on behalf of the State draws the attention of the Court to the materials in the case diary including the statement recorded under Section 164 of the Cr.P.C of the victim. The victim in her statement stated that there was a previous police complaint lodged by the petitioner against her family members.

There is an issue of false implication.

Consequently, 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/-, 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. The petitioner shall report before the

Investigating Officer once a month till the conclusion of the investigation. 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)