

30.01.2024

Serial no. ML 492

Anticipatory Bail

[Allowed]

Dd

CRM (A) 5210 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Nakashipra** Police Station Case No. **812** of **2023** dated **1.10.2023** under Sections **448/354A/323/326/379/34** of the Indian Penal Code, 1860.
(G.R. Case No. 3596 /2023)*

-And-

In the matter of : **Safik Sk & Ors.**

... .. Petitioners

Mr. Khalid Hasan, Advocate

... .. For the Petitioners

Mr. Bidyut Kr. Roy,

Mr. M. Sk. , Advocate

... ...For the State

Apparently, in an incident of assault, the injured suffered simple injury.

Injured recorded a statement under Section 161 of the Criminal Procedure Code where, she claims that her modesty was outraged.

Claim for outraging of modesty is not corroborated at the present, from the materials in the case diary.

In such circumstances, 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 petitioner no. 1 shall report before the

Investigating Officer once in a month till the conclusion of the investigation and petitioner nos. 2 and 3 shall cooperate with the investigation till its completion 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) 5210 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)