

Court No. 29

31.01.2024

(A 515)

Allowed

(S. Banerjee)

CRM(A) 5234 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar (Women)** Police Station Case No. **177 of 2023** dated **14.08.2023** under Sections 341/354D/376/511/379/506/34 of the Indian Penal Code.

And

In the matter of: **Madhusudan Saha @ Madan Saha & Anr.**

Kzai Mokhlasur Rahman

... for the petitioners

Mr. Bidyut Kumar Roy

Mr. Shashanka Sekhar Saha

... for the State

Apparently, there was an incident of assault.

Statement of the victim was recorded under Section 164 Cr.P.C. where she claims that there was an attempt to rape her in an incident of assault.

Victim apparently, refused to undergo medical examination.

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 petitioners 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 petitioners in court including cancelling the anticipatory bail granted without further reference to this court.

Prayer for anticipatory bail is allowed.

CRM(A) 5234 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)