

19.02.2024

Serial no. 83

Anticipatory bail

[Allowed]

Dd

CRM (A) 5612 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Jhargram All Women Police Station Case No. 77 of 2023** dated **14.11.2023** under Sections **376/379/323/506** of the Indian Penal Code, 1860.*

(G.R. Case No. 1084/2023)

-And-

*In the matter of : **Pradip Mahata***

*... .. **Petitioner***

Ms. Madhurai Sinha, Advocate

... .. For the Petitioner

Mr. Kaushik Kundu, Advocate

... ..For the State

Affidavit-of-service filed in Court be taken on record.
Despite service none appears for the victim.

Victim complained of forceful sexual assault on her by the petitioner. Doctor examining her gave the opinion that there was no sign of forceful intercourse. No external injury over the body of the victim was visible to the doctor.

In view of the nature of injury, 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**.

CRM (A) 5612 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)