

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

26.08.2019
tkm/ct 1
sl no. 36

C.R.M. 701 of 2019

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 19.8.2019 in connection with Kuchlibari P.S case no. 65 of 2019 dated 26.6.2019 under sections 363/365/109 of the IPC
And

Allowed

In Re : Bapi Barman & Anr. petitioners

Mr. A. K. Ghosh

..... for the petitioners

Mr. U. Luksom

Mr. B. Roy

..... for the State

It is submitted on behalf of the petitioners that they are not the principal accused and the victim girl has already been recovered.

Learned lawyer for the State opposes the prayer for anticipatory bail.

Having considered the materials in the case diary including the statement of the victim recorded under section 164 Cr.P.C and keeping in mind the extent of complicity of the petitioners in the alleged crime, we are inclined to 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/- each with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and that the petitioners shall appear

before the court below and pray for regular bail within four weeks from date.

The application being CRM 701 of 2019 is disposed of.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)