

29.8.2019
27.
as
(Allowed).

***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

C.R.M. 770 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 22.08.2019 in connection with Boxirhat P. S. Case No.05 of 2019 dated 15.01.2019 under Sections 363/365 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act.

In the matter of : Tumpa Bibi.

... Petitioner.

Mr. Hillol Saha Podder.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, Id. A.P.P.,
Mr. Sagnik Shankar Sikdar.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioner that co-accused viz., Hasen @ Hasinur Islam has been granted pre arrest bail.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the extent of complicity of the petitioner in the alleged crime and as the co-accused person who is similarly circumstanced with the petitioner has been granted

anticipatory bail, we are inclined to extend the same privilege to the petitioner also.

Accordingly, we direct that in the event of arrest the petitioner viz., Tumpa Bibi shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each subject to the satisfaction of the arresting officer and 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 appear before the trial court and pray for regular bail four weeks fortnight from date.

This application for anticipatory bail is, thus, disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)