

**CRM 7781 of 2020
(Via Video Conference)**

In re : An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure filed on 30.09.2020 in connection with Tehatta P.S. Case No. 353 of 2020 dated 27.08.2020 under Sections 376/511/323/379/34 of the Indian Penal Code.

In the matter of : **Suchitra Majumdar & Anr.**

..... petitioners

Mr. Kaustav Bagchi
Mr. Amanul Islam

.....for the petitioners

Mr. Saswata Gopal Mukherjee
Mr. Partha Pratim Das
Mrs. Manasi Roy

..... for the State

The petitioners undertake to affirm and stamp the petition/application as per Rules within one month of normal functioning of the Court. Subject to such undertaking the application is taken up for hearing.

The petitioner nos. 1, 2 and 4 are ladies. The petitioner No. 3 is a male. They pray for grant of anticipatory bail.

The submission of the learned Advocate for the petitioners is that the petitioners have been falsely implicated in a case of alleged rape, injury and also attempt to outrage the modesty of another lady.

It is submitted that the victim is 46 years of age and she has refused medical examination. He submits that this is a counter blast to another case and there is a long standing dispute between the neighbours.

Learned Advocate for the state submits that in the statements under Section 164 Cr.P.C. the complicity of the petitioners are available.

After perusing the documents and 164 Cr. P.C. statement we do not find any custodial interrogation of the petitioners are required and the prayer for anticipatory bail is allowed.

Accordingly, We direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs. 5,000/- (Rupees Five Thousand Only) 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 on further condition that the petitioner will cooperate with the investigation and shall meet the Investigating Officer as and when required.

The application being CRM 7781 of 2020 accordingly disposed of.

(Shampa Sarkar,J.)

(Harish Tandon, J.)