

134 18.12.2020
rkd Ct. No.28
(Allowed)

C.R.M. 9786 of 2020
(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baishnabnagar** P.S. Case No. **117 of 2020** dated **02/03/2020** under Section **363/365/34** of the Indian Penal Code.

And

In the matter of: Nasimul Hoque @ Md. Nasimul Ali & Anr.
....petitioners.

Mr. S. Saha

...for the petitioners.

Ms. F. Hossain,
Ms. S. Das

...for the State.

It is submitted on behalf of the petitioners that there was a love affair between the parties. Victim had already been recovered.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

We have considered the materials on record including the statement of the victim girl. Allegation of gang rape may be assessed in the light aforesaid submission made on behalf of the petitioner. In view of the facts and circumstances of the case, we are inclined to grant anticipatory bail to the petitioners.

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.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)

