

16.12.2020
tkm/ct 28
sl no. 162

**C.R.M. 10420 of 2020
(via video conference)**

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Harishchandrapur P.S case 569 of 2017 dated 3.7.2017 under sections 363/365/366A of the IPC and section 4 of the POCSO Act

Allowed

and

In Re : Rafikul Islam & Anr.

..... petitioners

Mr. K Safiullah

..... for the petitioners

Mr. Arijit Ganguly

Mr. Avik Ghatak

..... for the State

It is submitted on behalf of the petitioners that the victim had left her residence voluntarily. They are not the principal accuseds. Co-accuseds have been granted pre-arrest bail.

Keeping in mind the extent of complicity of the petitioners in the alleged crime in the light of the fact that co-accuseds have been granted pre-arrest bail, we are inclined to grant anticipatory bail to the petitioners also.

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.

The application being CRM 10420 of 2020 is disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)