

27.01.20

Sl. No.22

ns

Ct. No.1

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 102 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 21.01.2020 in connection with Samuktala Police Station Case No.10 of 2020 dated 13.01.2020 under Sections 376/417/506/34 of the Indian Penal Code.

And

In Re: **Smt. Ekadasi Ray & ors.**

... .. Applicants

Mr. Arijit Ghosh,

Mrs. Swarnali Ghosh

... .. for applicants.

Mr. Kallol Acharjee,

Mr. Tapan Bhattacharjee

... .. for State.

Mr. Ghosh, learned advocate appears on behalf of applicants, who are apprehending arrest in connection with Samuktala Police Station Case no.10 of 2020 dated 13.01.2020 under sections 376/417/506/34 of the Indian Penal Code. He submits, applicants are mother, sister and her husband, of principal accused. They have nothing to do with whatever happened between principal accused and defacto complainant. Mr. Acharjee, learned advocate appears on behalf of State and hands up case diary drawing attention to page 26, which is statement made by defacto complainant under section 164 in Code of Criminal Procedure.

We have perused the statement. The defacto complainant was ultimately taken by principal accused and left at his house. Principal accused thereafter went away. Considering the statement, we think fit to grant anticipatory bail to applicants.

Applicants, in event of arrest, shall be released on anticipatory bail by furnishing bond of Rs.10,000/- (Rupees Ten

Thousand Only) with two sureties of 5,000/- (Rupees Five Thousand) each, one of whom must be local, having landed property, to the satisfaction of the Arresting Officer and shall be subject to the condition, as in section 438(2) of the Code of Criminal Procedure and on further condition that applicants shall surrender before the Court below and obtain regular bail within a fortnight from date of this order.

Criminal miscellaneous application, C. R. M. 102 of 2020, is disposed of.

(Arindam Sinha, J.)

(Biswajit Basu, J.)