

12.03.2021

Court No.28

rpan / 27

CRM 609 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure;

And

In Re : **Jakir Hossain & Others**

- Petitioners

Mr. Mazahar Hossain Chowdhury
... For the Petitioners.

Mr. Abhra Mukherjee,
Mr. Goutam Banerjee
... For the State

Apprehending arrest in connection with Kushmandi P .S.
Case No. 01 of 2021 dated 02.01.2021 under Sections
341/376/323/506 of the Indian Penal Code, the petitioners have
filed the present application.

The learned advocate appearing for the petitioners submits
that the petitioner nos.1 and 2 are the parents of one Abdur Rof,
who is the principal accused and the petitioner nos.3 and 4 are
the neighbours. They have been falsely implicated and the
allegations levelled against them are unfounded. In the said
conspectus, custodial interrogation of the petitioners is not
necessary.

Mr. Mukherjee, learned advocate appearing for the State
opposes the petitioners' prayer and draws our attention to the
medical report and the statement of the victim lady, who is about
24 years of age, as recorded under Section 164 of the Code.

Upon perusal of the materials in the case diary, *prima facie*,
we find that overt act has been attributed to the person, namely,

Abdur Rof. In view of the nature of allegations and the extent of complicity of the petitioners herein, we are of the opinion that they are entitled to the privilege of anticipatory bail. As such, the prayer for anticipatory bail of the petitioners is **allowed**.

Accordingly, we direct that in the event of arrest the petitioners, namely, **Jakir Hossain, Runa Laila @ Runa Begum, Md. Jafar Hossain @ Jafar Ali** and **Ajahrul Islam**, shall be released on bail upon furnishing a bond of ₹10,000/- each with two sureties of like amount each, one of whom must be local, 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.

The application for anticipatory bail, being CRM No. 609 of 2021, is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)