

**63. 16.11.2021**

**Ct.29**

Tanmoy

Allowed

**C.R.M. 4944 of 2021**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **26/07/2021** in connection with **Raghunathganj Police Station Case No. 288 of 2021** dated **03/06/2021** under Sections **509/325/354/427/34** of the Indian Penal Code.

And

In the matter of: - **Raju Khan @ Md. Yousuf Khan & Ors.**

...petitioners.

Ms. Shabana Hasin

...for the petitioners.

Mr. Prasun Kumar Dutta, Ld. A.P.P.,  
Mr. Subrato Roy

...for the State.

The petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated.

Learned Advocate for the State draws attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, 1973.

Considering the nature of offences alleged to be committed and considering the statement recorded under Section 164 of the Code of Criminal Procedure, 1973, we are inclined to grant anticipatory bail to the petitioners.

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, one of whom must be local, to the satisfaction of the Arresting Officer and shall abide by the conditions as laid down under Section

438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall report to the Investigating Officer once a month until further orders.

In case the petitioners fail to adhere to any of the conditions mentioned in Section 438(2) of the Code, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.

The application being C.R.M. 4944 of 2021 is, accordingly, disposed of.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)