

21.12.2021.
09.
as
(Allowed).

C.R.M. 5253 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Jagaddal P. S. Case No.468 of 2021 dated 23.06.2021 under Sections 417/376/342/323/506/384/120B of the Indian Penal Code.

In the matter of : Kamal Tiwari @ Kamal Kumar & Ors.
... Petitioners.

Mr. Suman Chakraborty.

...for the Petitioners.

Mr. Binay Panda,
Mr. Subham Bhakat.

.....for the State.

Heard the learned Advocates appearing for the parties.

It is submitted on behalf of the petitioners that they are not the principal accused. They have been falsely implicated in the instant case.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail and submits that the principal accused Raju Tiwari had taken the victim to a hotel on the false promise of giving employment and committed rape upon her. Petitioners have assisted the principal accused.

We have considered the materials on record. Allegation of forcible rape is not levelled against the petitioners. Keeping in mind the extent of complicity of the petitioners in the alleged crime, 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, 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.

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

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)