

22.09.2021
tkm/ct 29
sl no. 35

C.R.M. 6127 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Itahar P.S Case no. 386 of 2021 dated 6.7.2021 under sections 306/34 of the IPC read with section 12 of the POCSO Act

And

Allowed

In Re : Abdu Hannan @ Hannan Ali & Anr. petitioners

Mr. Amit Roy
Mr. S Chatterjee

..... for the petitioners

Mr. S G Mukherjee, Id PP
Ms. Faria Hossain
Ms. Sonali Das

..... for the State

Petitioners seek anticipatory bail.

Learned advocate for the petitioners submits that the FIR was lodged with an unexplained delay of one month from the date of the incident. He submits that the victim committed suicide at her grandparents' house.

Learned advocate for the State draws the attention of this Court to the statement recorded under section 161 cr.P.C.

Considering the materials in the case diary, 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 also subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner no. 1 while on bail, shall meet the investigating officer once in a fortnight until further orders. Petitioner no. 2 shall co-operate with investigation in accordance with law. Petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

The application being CRM 6127 of 2021 is disposed of.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)