

16.12.2021

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Allowed

**C.R.M. 6279 of 2021
(via video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Uluberia Police Station Case No. 286 of 2021 dated 28.08.2021 under Sections 448/325/427/379/506/34 of the Indian Penal Code and Section 8 of POCSO Act.

And

In Re : Jahangir Khan @ Jahangir kha & Ors. petitioners

Sk. Md. Ishik Iquebal

.....for the petitioners

Mr. Tanmoy Kumar Ghosh

Mr. Arabinda Manna

....for the State

It is submitted by the learned Counsel appearing for the petitioners that there was a dispute between the families and a complaint had been lodged against the family of the victim girl. In retaliation, instant case was registered after two months.

Learned Counsel appearing for the State opposes prayer for anticipatory bail.

We have considered materials on record. Keeping in mind the nature of allegations in the light of the aforesaid submission with regard to pre-existing enmity and delay in lodging first information report, 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/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioners shall appear before the court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)