

07.01.2022
Sl. No.7
akd
[ALLOWED]

C. R. M. (A) 22 of 2022 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 24.12.2021 in connection with Asansol (North) Police Station Case No. 85 of 2021 dated 24.03.2021 under Sections 376(2)(N)/109/506 of the Indian Penal Code. (G.R. Case No.860 of 2021)

And

In Re: ***Farha @ Komal @ Neha Parween***

... .. Petitioner

Mr. Ayan Bhattacharyya
Mr. Kunal Ganguly

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Ld. Public Prosecutor
Mr. Parthapratim Das
Mrs. Manasi Roy

... .. for the State

It is submitted on behalf of the petitioner that she is not the principal accused and has been falsely implicated in the instant case. It is further submitted that the principal accused is on regular bail.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that the petitioner had lured the victim to a party where she had been ravished.

We have considered the materials on record including the statement of the victim lady. Keeping in mind the extent of complicity of the petitioner in the alleged crime and as the principal accused is on regular bail and investigation is complete, we are of the opinion that custodial interrogation of the accused/petitioner may not be necessary and she may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Farha @ Komal @ Neha Parween***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 shall appear before the court below and pray for regular bail within four weeks from date.

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

(Bibhas Ranjan De, J.)

(Joymalya Bagchi, J.)