

09.03.2022

Serial no. 06

Dd

CRM (A) 1126 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Ranaghat** Police Station Case No. **118** of **2022** dated **February 20,2022** under Sections **376/417** of the Indian Penal Code

-And-

In the matter of : **Subir Biswas & Ors.**

... Petitioners

Ms. Sananda Bhattacharyya, Advocate

... ... For the Petitioners

Mr. Imran Ali,

Ms. Debjani Sahu, Advocates

... ...For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. There was a relationship between the first petitioner and the de facto complainant. In fact, the first petitioner and the de facto complainant are married.

Learned advocate appearing for the State draws the attention of the Court to the contents in the case diary including the statements of the de facto complainant recorded under Section 164 of the Criminal Procedure Code.

In a statement recorded under Section 164 of the Criminal Procedure Code, the de facto complainant states that there was a relationship of at least three years with the first petitioner.

Considering the materials in the case diary and considering the statements recorded under Section 164 of the Criminal Procedure of the de facto complainant and considering the gravity of the offence and the involvement of

the petitioners therein, 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 condition that the petitioners shall appear before the Court below and pray for regular bail within a period of four weeks from date and on further condition that the petitioner nos. 1 and 2 shall meet the Investigating Officer once in a fortnight till completion of investigation and petitioner no. 3 shall cooperate with the investigation till its completion.

Prayer for anticipatory bail of the petitioners is **allowed.**

CRM (A) 1126 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)