

14.03.2022

Sl. 12
Court No.29
sourav
(Allowed)

C.R.M. (A) 1197 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **08.03.2022** in connection with **Palashipara** P. S. Case No. **14** of **2022** dated **07.01.2022** under Sections **498(A)/376** of the Indian Penal Code.

And

In the matter of: **Kurman Sekh @ Kurman Sk & Anr.**

....petitioners.

Mr. Krishnendu Bhattacharya

Mr. Priyankar Ganguly

Ms. Shalini Bairagi

...for the petitioners.

Ms. Amita Gaur

...for the State.

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that petitioners were falsely implicated. The husband of the victim died three years ago. The principal accused is in custody.

Learned advocate appearing for the State draws the attention of the Court to the contents of the case diary and the statement of the victim recorded under Section 164 of the Criminal Procedure Code.

Considering the fact that the victim in her statement does not implicate the petitioners herein to be present at the spot when the incident took place and considering the fact that the principal accused is already in custody, we 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 shall appear before the Investigating Officer once a fortnight till the conclusion of the investigation and petitioner no. 2 shall co-operate with the investigation and that the petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 1197 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

