

CRM (A) 1938 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Sankrail Police Station Case No. 90 of 2022 dated 20.01.2022 under Sections 341/325/354B/506/34 of the Indian Penal Code read with Section 8 of the POCSO Act.

-And-

In the matter of: **Rajia Sultana & Ors.**

... ..Petitioners

Mr. M. Chatterjee, Advocate

... .. For the Petitioners

Mr. Prasun Kr. Datta, Advocate

Mr. S. Roy, Advocate

... .. For the State

Mr. Rajdeep Mazumder, Advocate

... .. For the de facto complainant

Petitioners pray for anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated.

State and the de facto complainant are represented.

It is claimed on behalf of the de facto complainant that there is a commonality of the accused in respect of other pending police cases.

Such fact is yet to be established in Court, despite repeated opportunities being granted.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from 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/- (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 condition that the petitioner nos. 2 and 3 will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner no. 1 will cooperate with the investigation and on condition that the petitioners shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 1938 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)