

11.05.2022

Sl. 03
Court No.29
suvayan
(Allowed)

CRM (A) 2029 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagar** P.S. Case No. **60/2022** dated **09/03/2022** under Sections **363/365/34** of the Indian Penal Code, 1860.

And

In the matter of: Sk. Nur Nabi @ Sk. Noor Alam & Ors.
....petitioners.

Ms. Minoti Gomes
Mr. Mazhar Hossain Chowdhury
...for the petitioners.

Mr. Saryati Datta
...for the State.

Petitioners seek anticipatory bail.

The victim recorded a statement under Section 164 of the Criminal Procedure Code on May 6, 2022 where she claims that she is more than 18 years old. She claims that she and the first petitioner are married with each other and she went voluntarily with the first petitioner.

Considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code on May 6, 2022 and considering the gravity of the offence and the involvement of the petitioners therein, 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/- (Rupees Ten Thousand Only) each with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report as and when called for by the Investigating Officer till the conclusion of 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.

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

CRM (A) 2029 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)