

05.05.2022

25

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2047 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Karimpur** Police Station Case No. **89** of **2022** dated **25.04.2022** under Sections 376/417/323/506/34 of the Indian Penal Code.

And

In Re : Astami Shil @ Ashtami Shil

..... petitioner

Mr. Amanul Islam

Mr. Sourav Mukherjee

....for the petitioner

Ms. Sreeparna Das

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The principal accused is in custody.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

The victim is 27 years of age. She admits the relationship between her and the principal accused. The principal accused is in custody.

Considering the gravity of the offence and the involvement of the petitioner therein as transpiring from the materials in the case diary, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 petitioner shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

