

12.05.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2136 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Moyna** Police Station Case No. **67** of **2022** dated **27.03.2022** under Sections 363/365/34 of the Indian Penal Code, 1860.

And

In Re : Prasenjit Dinda & Ors.

..... petitioners

Mr. Milon Kukherjee

Mr. M. H. Chowdhury

....for the petitioners

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the lady voluntarily went with the first petitioner. There is a relationship between the first petitioner and the lady.

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

In her 164 Cr.P.C. statement, the lady claims that she went voluntarily with the first petitioner.

In such circumstances, considering the 164 Cr.P.C. statement of the lady and considering the nature of allegations and considering the materials in the case diary, 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/- 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 petitioner nos. 1 (Prasenjit Dinda) and 2 (Sukumar Dinda) shall meet the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 3 (Kalyani Dinda) shall cooperate with 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

