

18.05.2022
Serial no. 11
[Dd]
(Anticipatory Bail
Partly Allowed)

CRM (A) 2200 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Hemtabad** Police Station Case No. **97** of **2022** dated **06.03.2022** under Sections **363/365/34** of the Indian Penal Code, read with **6/17 of** POCSO Act, (POCSO Case NO. 11 of 2022)

-And-

In the matter of : **Akter Ali @ Hossain @ Aktar Hossain Chowdhury & Ors.**

... .. Petitioners

Mr. Niladri Sekhar Ghosh,
Mr. Sakhawat Khundakar,
Mr. Faijur Rahaman, Advocates
... .. *For the Petitioners*

Mr. Saibal Bapuli, Id. APP
Mr. Bibaswan Bhattacharya, Advocates
... .. *For the State*

CRM (A) 2200 of 2022 is dismissed as not pressed on behalf of petitioner no. 1, Akter Ali @ Hossain @ Aktar Hossain Chowdhury since he stands arrested.

There are materials in the case diary implicating the petitioner nos. 2 and 3. Therefore, we are unable to enlarge petitioner nos. 2, Majaffar Hossain Chowdhury and petitioner no. 3, Afruja Khatun Chowdhury @ Afroja Begum on anticipatory bail.

So far as the petitioner no. 4, Chabiruddin Ahammad @ Safiruddin Ahamed @ Sabiruddin Ahamed, is concerned, considering the materials in the case diary, gravity of the offence and the involvement of the petitioner no. 4 therein, we are inclined to grant anticipatory bail to him.

Accordingly, we direct that in the event of arrest the petitioner no. 4, Chabiruddin Ahammad @ Safiruddin Ahamed @ Sabiruddin Ahamed shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 no. 4 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioner no. 4 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 no. 4 in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **partly allowed**.

CRM (A) 2200 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)