

01.07.2022
Serial no.10
Aloke

CRM (A) 3083 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. 257 of 2022 dated 09.03.2022 under Sections 376/363/365/354C/120B/506/34 of the Indian Penal Code and Section 4 of the POCSO Act.

-And-

In the matter of : **Smt. Tuktuki Naskar & Anr.**

... .. Petitioners

Sk. Md. Ashiq Iquebal, Advocate
Mr. Rameshwar Sinha, Advocate

... .. For the Petitioners

Ms. Anasuya Sinha, Advocate
Mr. Pinak Kr. Mitra, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated. The principal accused is still in custody.

Learned Advocate appearing for the State draws the attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the involvement of the petitioners in the incident and the relationship of the petitioners with the victim and considering the fact that the police filed charge-sheet, 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

further condition that the petitioners shall appear on every date 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 3083 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)