

30.06.2022

23

Ct. No. 29

**KAUSHIK**

Allowed

**C.R.M.(A) 3090 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **530** of **2020** dated **02.12.2020** under Sections 363/365/34 of the Indian Penal Code, 1860.

And

In Re : Rajat Karmakar & Anr.

..... petitioners

Ms. Karabi Roy

....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, there was a relationship between the first petitioner and the victim. The petitioners were falsely implicated.

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.).

In her statement, the victim claims that she went voluntarily with the petitioners.

In such circumstances, 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 petitioners shall meet the Investigating Officer as and when called for till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**