

07.07.2022
Serial no.38
Aloke

CRM (A) 3215 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kotwali Police Station Case No. 611 of 2022 dated 16.06.2022 under Sections 376/417/34 of the Indian Penal Code.

-And-

In the matter of : **Jyotsna Mondal & Anr.**

... .. Petitioners

Mr. Asraf Mandal, Advocate

... .. For the Petitioners

Mr. Anowar Hossain, Advocate

Mr. M. H. Chowdhury, Advocate

Ms. Ratna Ghosh, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the principal accused is in custody. The allegations are in respect of a happening incident eight years ago.

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 considering the fact that the allegations are in respect of an incident allegedly happening eight years ago and considering the fact the principal accused is in custody, 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

condition that the petitioner no. 1 will cooperate with the investigation and petitioner no. 2 shall meet the Investigating Officer once in a month till the conclusion of the investigation 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) 3215 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)