

01.08.2022
Serial no. 30
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 3653 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **290** of **2019** dated **12.07.2019** under Sections **448/325/354/376/511/427/379/34** of the Indian Penal Code, vide G. R. Case No. **1579 of 2019**.

-And-

In the matter of : **Md Israil @ Bulu & Anr.**

... .. Petitioners

Mr. Asfak Ahammed, Advocate

... .. For the Petitioners

Md. Anwar Hossain,

Ms. Sreyashee Biswas, Advocates

... ..For the State

Petitioners prays for anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. The police complaint was lodged 17 days after the incident.

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

Considering the delay in the lodgment of the first information report, the statement of the victim recorded under Section 164 of the Criminal Procedure Code and the materials in the case diary, 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 report before 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) 3653 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)