

05.08.2022
Serial no.30
Aloke

CRM (A) 3766 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kaliganj Police Station Case No. 408 of 2022 dated 29.06.2022 under Sections 325/354B/307/34 of the Indian Penal Code.

-And-

In the matter of : **Mafejaddin Mallik & Ors.**

... .. Petitioners

Ms. Minoti Gomes, Advocate

Mr. Amanul Islam, Advocate

Mr. Sourav Mukherjee, Advocate

... .. For the Petitioners

Mr. Joydeep Roy, Advocate

Mr. Asif Dewan, Advocate

... ..For the State

Petitioners seek anticipatory bail.

Considering the fact that the victim refused to record a statement under Section 164 of the Code of Criminal Procedure and considering the fact that there is no medical evidence corroborating the allegations levelled, 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 nos. 1, 2, 4 and 5 and 7 shall meet the Investigating Officer as and when called for till the conclusion of the investigation and petitioner nos. 3 and 6 will cooperate with 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) 3766 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)