

05.09.2022
Serial no.8
Aloke

CRM (A) 4183 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Debra Police Station Case No. 186 of 2022 dated 18.04.2022 under Sections 341/323/325/365/354/379/506/34 of the Indian Penal Code and adding Section 313 of the Indian Penal Code.

-And-

In the matter of : **Husneyara Bibi @ Hosena Ara Bibi & Anr.**

... .. Petitioners

Mr. Mansaram Mandal, Advocate

... .. For the Petitioners

Ms. Sreyashee Biswas, Advocate

... ..For the State

Petitioners seek anticipatory bail on the ground of parity with that of the other co-accused who were granted anticipatory bail by this Hon'ble Court.

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

The principal accused was enlarged on bail by the jurisdictional Court. The father of the principal accused was enlarged on anticipatory bail by this Hon'ble Court. The petitioners before us, therefore, stands on the same footing as that of the other co-accused who were enlarged on anticipatory bail.

In such circumstances, 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 petitioners shall cooperate with the investigation 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) 4183 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)