

CRM (A) 4318 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Baishnabnagar Police Station Case No. 426 of 2022 dated 20.05.2022 under Sections 376/506/34 of the Indian Penal Code.

-And-

In the matter of : **Laxmi Karmakar & Anr.**

	 Petitioners
Mr. M. Hossain Chowdhury, Advocate	
Mr. M. Alam, Advocate	
	 For the Petitioners
Mr. Joydeep Roy, Advocate	
Mr. Asif Dewan, Advocate	
	For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that 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. He submits that the principal accused is in custody. He submits that the police filed charge-sheet.

The victim implicates the principal accused in her statement recorded under Section 164 of the Code of Criminal Procedure with regard to the allegations under Section 376 of the Indian Penal Code.

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 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) 4318 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)