

16.09.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 4444 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **1260** of **2022** dated **09.08.2022** under Sections 341/326/307/506/34 of the Indian Penal Code, 1860.

And

In Re : Mamata Pramanik & Ors.

..... petitioners

Mr. Arup Kumar Bhowmik
....for the petitioners

Ms. Faria Hossain
Ms. Baisali Basu
....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the third petitioner was ravished by the son of the de-facto complainant. The petitioners went to the chamber of an advocate when the incident occurred.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the injured recorded under Section 161 of the Code of Criminal Procedure and the injury report.

There is a previous police complaint with regard to rape of the third petitioner.

The police complaint in the present police case refers to the incident happening in the chamber of an advocate.

In such circumstances, we 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/- 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 petitioner nos. 2 (Kanai Pramanik) and 4 (Prabhas Pramanik) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner nos. 1 (Mamata Pramanik) and 3 (Gayatri Pramanik) shall cooperate with the Investigating Officer till the conclusion of the investigation 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

