

CRM (A) 4491 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Nakashipara Police Station Case No. 344 of 2022 dated 07.05.2022 under Section 376D of the Indian Penal Code.

-And-

In the matter of : **Rojdar Mondal & Ors.**

... .. Petitioners

Mr. Kallol Mondal, Advocate
Mr. Amanul Islam, Advocate
Mr. Krishan Roy, Advocate
Mr. Sourav Mukherjee, Advocate
Mr. Souvik Das, Advocate
Ms. Sabera Khatun, Advocate

... .. For the Petitioners

Mr. Avishek Sinha, Advocate

... ..For the State

Petitioners seek anticipatory bail.

The statement of the victim recorded under Section 164 of the Code of Criminal Procedure does not suggest commission of an offence under Section 376D of the Indian Penal Code, 1960.

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 meet the Investigating Officer as when called for 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) 4491 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)