

28.09.2022

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Ct. No. 29

**KAUSHIK**

Partly

Allowed

**C.R.M.(A) 4628 of 2022**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Cyber Crime Malda** Police Station Case No. **32** of **2022** dated **02.08.2022** under Sections 406/465/354C/384/292/509/120B of the Indian Penal Code, 1860.

And

In Re : Sk Farid @ Bapi Sk & Anr.

..... petitioners

Ms. Oindrila Ghosh

....for the petitioners

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

....for the State

There are materials in the case diary including the statement of the victim recorded under Section 161 of the Code of Criminal Procedure implicating the first petitioner.

In such circumstances, we are unable to grant anticipatory bail to the petitioner no. 1 (Sk Farid @ Bapi Sk).

Accordingly, the application for anticipatory bail is, thus, rejected so far as petitioner no. 1 is concerned.

So far as the second petitioner is concerned, we grant anticipatory bail to the petitioner no. 2 (Hasnara Bibi).

Accordingly, we direct that in the event of arrest the petitioner no. 2 shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 no. 2 shall cooperate with the Investigating Officer till the conclusion of the investigation and on condition that the petitioner no. 2 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 petitioner no. 2 in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, partly allowed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**