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(AD) 28.09.2022

C.R.M. (A) 4651 of 2022

Court No.29
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Garhbeta** Police Station Case No. **38 of 2022** dated **30/01/2022** under Sections **448/325/307/354B/506/376/511/34** of the Indian Penal Code, 1860.

And

In the matter of: **Ganesh Mondal @ Ganesh Mandal & Ors.**
....petitioners.

Ms. Oindrilla Ghosh
...for the petitioners.

Mr. Prasun Kumar Datta, Ld. APP
Mr. Subrato Roy
...for the State.

Petitioners pray for anticipatory bail.

There are two statements recorded under Section 164 of the Code of Criminal Procedure in the case diary. One is by the victim recorded on May 20, 2022 where she claims that she was ravished and threatened. There is a subsequent 164 statement by the husband of the victim recorded on May 30, 2022 where the husband claims that no such incident occurred.

The police filed charge sheet.

In such circumstances, at this stage, it would be appropriate to enlarge the petitioners on anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner 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 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.

The prayer for anticipatory bail of the petitioners is allowed.

C.R.M. (A) 4651 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)