

29.09.2022.

42.

AD/KC

(Allowed).

C.R.M. (A) 4742 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhadreswar P. S.** Case No.456 of 2022 dated 28.08.2022 under Sections **376/417/323/506/509/34** of the Indian Penal Code.

In the matter of : Amit Kumar Choudhury & Ors.
... Petitioners.

Mr. Suman Chakraborty.
...for the Petitioners.

Md. Anwar Hossain
Ms. Benazir Hasna
.....for the State.

Petitioners submit that they are not the principal accused. Victim was a major lady and had co-habited with Sumit Chowdhury, who is son of petitioner nos. 3 and 4.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record. Keeping in mind the extent of complicity of the petitioners in the alleged crime, who do not appear to be principal accused and as the victim was a major lady at the time of cohabitation and was aware of the consequences thereof, 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/- each with two sureties of like amount each, to

the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)