

09.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5103 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Itahar** Police Station Case No. **219** of **2021** dated **10.05.2021** under Section 363 of the Indian Penal Code, 1860.

And

In Re : Kajol Sk @ Khush Md @ Khosh Mohammad

..... petitioner

Mr. Kaushik Chaudhury

Ms. Busra Khatun

....for the petitioner

Mr. Pravas Bhattacharya

Mr. MFA Begg

....for the State

The police filed charge-sheet.

The principal accused was enlarged on bail by the Jurisdictional Court. The statement of the victim recorded under Section 164 of the Code of Criminal Procedure does not implicate the petitioner.

In such circumstances, we grant anticipatory bail to the petitioner.

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

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 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.)