

25.11.2022

24

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5460 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station Case No. **401** of **2022** dated **14.11.2022** under Sections 341/325/326/354(B)/379/427/504/34 of the Indian Penal Code, 1860.

And

In Re : Saiful Sk. @ Shaikh & Ors.

..... petitioners

Mr. Asraf Mondal

....for the petitioners

Mr. Bidyut Kumar Roy

Ms. Tarna Ghosh

....for the State

The injury report of the victim does not suggest that the victim suffered grievous hurt.

There is hardly material in the case diary relating to the allegation of outraging of modesty.

In such circumstances, we 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 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 nos. 8 (Asrafun Bibi Ashrafun Bibi Sekh) and 9

(Rojina Parvin) shall cooperate with the Investigating Officer till the conclusion of the investigation and petitioner nos. 1 (Saiful Sk. @ Shaikh), 2 (Kalimuddin Sk. @ Shaikh), 3 (Jasimuddin Sk.), 4 (Jakir Sk. @ Jakir Hossain Sk.), 5 (Rahim Sk. @ Md. Abdul Rahim Shaikh), 6 (Kheder Ali Sk.) and 7 (Ajit Sk. @ Aziz Sekh) shall meet the Investigating Officer once a month till the conclusion of the investigation 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)