

15.12.2022
Serial no.24
Aloke

CRM (A) 5840 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Arambagh Police Station Case No. 318 of 2022 dated 02.11.2022 under Sections 363/365 of the Indian Penal Code.

-And-

In the matter of : **Indrajit Santra & Ors.**

... .. Petitioners

Mr. Niladri Seskhar Ghosh, Advocate

Ms. Sutanuka Choudhury, Advocate

Ms. Sompurna Chatterjee, Advocate

Mr. Sourav Mukherjee, Advocate

... .. For the Petitioners

Mr. Angshuman Chakraborty, Advocate

... ..For the State

Petitioners seek anticipatory bail.

Apparently, the first petitioner and the victim are known to each other.

The victim is 14 years of age.

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure states that the first petitioner took her forcibly and kept her at the place of the relatives of the first petitioner.

It is claimed that the petitioner and the victim are neighbours. The statement of the victim acknowledges that there was a relationship between the victim and the first petitioner. The first petitioner apparently is about 20 years of age.

Taking into account the contents of the statement recorded under Section 164 of the Code of Criminal Procedure of the victim and taking into account the age of the first petitioner, 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/- (Rupees Ten Thousand Only) 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 condition that the petitioner nos. 1 and 2 will report before the Investigating Officer once in a week till the conclusion of the investigation and petitioner no. 3 will cooperate with the investigation till the conclusion of the investigation and on further 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 5840 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)