

30.01.2023
Serial no. 11
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 357 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **SPL 200/2022** arising out of **Narendrapur** Police Station Case No. **1066** of **2022** dated **27.09.2022** under Sections **376(2)(n)/313/120B** of the Indian Penal Code and Sections **06/17** of the Protection of Children from Sexual Offences Act.

-And-

In the matter of : **Anindita Karmakar**

... .. Petitioner

Mr. Angshuman Chakraborty, Advocate

... .. *For the Petitioner*

Ms, Faria Hossain,

Mr. Asif Dewan, Advocates

... ..*For the State*

Police filed charge sheet.

The principal accused was enlarged on bail by the co-ordinate Bench by the order dated December 22, 2022 passed in CRM (DB) 4505 of 2022.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case dairy and submits that the present petitioner is the person who is complicit in the offence under Section 313 of the Indian Penal Code, 1860.

As noted above, police filed charge sheet.

The issue as to the complicity of the petitioner in the incident is an issue which is to be tried, if so raised.

In such circumstances, we are inclined to 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/- (Rupees Ten Thousand Only), 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 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 357 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)