

13.03.2023
Serial no. 82
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 1014 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **English Bazar** Police Station Case No. **1448** of **2022** dated **22.09.2022** under Sections **363/365** of IPC adding Section **376(3)** of IPC and adding Sections **6/17** of POCSO Act, 2012.

-And-

In the matter of : **Munjur Rahaman @ Manjur Islam & Anr.**
... .. **Petitioners**

Ms. Minoti Gomes,
Mr. Musharraf Alam Sk.
Ms. Susmita Ghorai, Advocates
... .. *For the Petitioners*

Ms. Zareen N. Khan,
Md. Kutubuddin, Advocates
... .. *For the State*

The statement of the victim recorded under Section 164 of the Criminal Procedure Code, is directed against two persons.

The petitioners before us are the parents of one of such person.

The statement of the victim recorded under Section 164 of the Criminal Procedure Code does not implicate the present petitioners in the incident.

In such circumstances, we are inclined to grant anticipatory bail to the present 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 further condition that the petitioner no.1 shall report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 2 shall cooperate with the investigation till its completion 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) 1014 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)