

21.03.2023
Serial no. 23
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 1156 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Golabari** Police Station Case No. **21** of **2023** dated **21.01.2023** under Sections **376/417** of the IPC.

-And-

In the matter of : **Sumit Kumar Jha & Anr.**
... .. **Petitioners**

Mr. Soumya Basu Roy Chowdhuri, Advocate
... .. *For the Petitioners*

Mr. Saswata Gopal Mukherji, Id. PP
Mr. Partha Pratim Das,
Ms. Eshita Dutta, Advocates
... ..*For the State*

Co-accused was enlarged on anticipatory bail by the order dated March 13, 2023 passed in CMR(A) 1036 of 2023.

The petitioners before us are not the principal accused.

In such circumstances, 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 further condition that the petitioners shall report before the Investigating Officer once in a month 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) 1156 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)