

24.03.2023
Serial no. 16
[Dd]
(Anticipatory Bail)
(Allowed)

CRM (A) 1211 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **175** of **2023** dated **03.03.2023** under Sections **363/365/376/506/34** of the IPC and Section **6** of the POCSO Act, 2012, arising out of POCSO case no. 05 of 2023.

-And-

In the matter of : **Rakib @ Rokib Biswas & Ors.**

... .. **Petitioners**

Mr. Asraf Mondal, Advocate

... .. *For the Petitioners*

Mr. Joydeep Roy, Jr. Govt. adv.

Mr. Amanul Islam, Advocate

... ..*For the State*

Apparently, the victim went with the first petitioner out of a love affair.

The victim was recovered. A statement under Section 164 of the Criminal Procedure Code was recorded. She claims that there was a promise of marriage which the first petitioner did not keep.

The age of the first petitioner is 20 years.

The other petitioners are the parents of the first petitioner.

Considering the age of the first petitioner and the involvement of the other two petitioners in the incident, 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 petitioner nos. 1 and 2 shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and petitioner nos. 3 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) 1211 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)