

29.03.2023

16

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1288 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murshidabad** Police Station Case No. **850** of **2022** dated **22.12.2022** under Sections 363/365/376/34 of the Indian Penal Code, 1860 and Section 4 of the Protection of Children from Sexual Offences Act.

And

In Re : Nilufa @ Lilufa Bibi

..... petitioner

Ms. Minoti Gomes

....for the petitioner

Mr. Navanil De

....for the State

Petitioner before us is the mother of the principal accused.

Learned advocate for the petitioner refers to the order dated March 14, 2023 passed in CRM(DB) 914 of 2023 and submits that, there is a proposal of marrying the victim with the principal accused upon the victim attaining the age as a major.

Co-accuseds were enlarged on bail by the Coordinate Bench on March 14, 2023 passed in CRM(DB) 914 of 2023.

On the parity of the same reasoning, we 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/-, 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 cooperate with the Investigating Officer till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)