

30.03.2023

Serial no. 13

[Dd]

(Anticipatory Bail)

(Allowed)

CRM (A) 1301 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Narayangarh** Police Station Case No. of **23 of 2023** dated **18.01.2023** under Sections **376/417/120B** of the IPC.

-And-

In the matter of : **Soumen Sahoo & Ors.**

... .. **Petitioners**

Mr. Soumyajit Das Mahapatra,

Ms. Madhurai Sinha, Advocate

... .. *For the Petitioners*

Mr. Sanjib Kumar Das, Advocate

... ..*For the State*

The de facto complainant is a major. She recorded a statement under Section 164 of the Criminal Procedure Code where she claims that there was a previous relationship between her and the principal accused.

The principal accused apparently entered into a physical relationship on the promise of marriage.

The petitioners before us are the friends of the principal accused.

The principal accused was granted bail by the jurisdictional Court.

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) 1301 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)