

29.03.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1304 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Egra** Police Station Case No. **203** of **2023** dated **06.03.2023** under Sections 120B/363/365/511 of the Indian Penal Code, 1860.

And

In Re : Attari Bibi & Anr.

..... petitioners

Mr. Kajal Ray

....for the petitioners

Mr. Sujan Chatterjee

....for the State

Petitioner no. 1 lodged a complaint against her husband and in-laws under Section 498A of the Indian Penal Code, 1860 prior in point of time. Thereafter, the present police case of abduction was lodged.

We perused the statement recorded under Section 164 of the Code of Criminal Procedure in the present police case.

Issue of false implication, at this stage, cannot be overlooked.

In such circumstances, we 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/- 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. 2 (Sk. Abu Khan @ Abu Hossain Khan) shall meet the Investigating Officer once a month till the conclusion of the investigation and petitioner no. 1 (Attari Bibi) shall cooperate with the Investigating Officer till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)