

30.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1361 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 Indian Penal Code and Section **6** of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: Tana Bibi @ Tanehar Khatun

..... petitioner

Mr. Asraf Mandal

....for the petitioner

Mr. Avishek Sinha

....for the State

Principal accused was enlarged on anticipatory bail by order dated March 24, 2023 passed in CRM (A) 1211 of 2023.

The petitioner before us is the relative of the principal accused.

The statement of the victim recorded under Section 164 of the Criminal Procedure Code claims that there was a promise of marriage, which the principal accused did not keep.

In such circumstances, 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 condition that petitioner will cooperate with the Investigating Officer till the conclusion of the investigation and on further 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.)