

05.04.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 1435 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **59** of **2023** dated **22.01.2023** under Sections **341/323/506/34** of the Indian Penal Code and Section **10** of the POCSO Act.

And

In the matter of: Mojammel Hoque & ors.

..... petitioners

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick,
Md. Sontu Mia

....for the petitioners

Mr. S. S. Imam,
Mr. Sandip Kundu

....for the State

Police filed charge-sheet.

The victim recorded her statement under Section 164 of the Criminal Procedure Code implicating Raju Sk.

Raju Sk was granted anticipatory bail by this Hon'ble Court.

The petitioners are apparently not named in the statement recorded under Section 164 of the Criminal Procedure Code.

Consequently, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners will 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 petitioners shall appear on every date before the jurisdictional court on and from the date fixed for appearance of the accuseds 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.)