

16.05.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 2005 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Joypur** Police Station Case No. **74** of **2023** dated **24.03.2023** under Sections **498A/325/376/511/506/34** of the Indian Penal Code.

And

In the matter of: Sabir Sk & ors.

..... petitioners

Mr. Atis Kumar Biswas,

Ms. Jyoti Agarwal

....for the petitioners

Mr. Pravas Bhattacharya,

Mr. Mirza Firoj Ahmed Begg

....for the State

Mr. Soumyajit Bhatta

....for the victim girl

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that the mother of the victim lodged the police complaint falsely implicating the petitioners as the victim entered into a relationship with a different person.

State and the victim girl are represented.

Vakalatnama filed on behalf of the victim girl who is personally present in Court be taken on record.

Learned advocate appearing for the victim girl submits that the victim went with a person whom the victim fell in love with.

There is a statement recorded under Section 164 of the Criminal Procedure Code of the victim. Moreover, the victim is personally present in Court and through her advocate, she made the statement as recorded above.

In such circumstances, we deem it appropriate to 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 petitioner no.1, namely, Sabir Sk, petitioner no.2, namely, Abdul Alim Sk and petitioner no.4, namely, Sujit Mollick @ Sajit Mollick will report before the Investigating Officer once in a month till the conclusion of investigation and petitioner no.3, namely, Lutfa Bibi and petitioner no.5, namely, Amrita Khatun will cooperate with the Investigating Officer 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)