

07.07.2023
Sl. No.47
as
[ALLOWED]

C. R. M. (A) 2420 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Chandrakona Police Station Case No. 205 of 2023 dated 24.05.2023 under Sections 457/323/325/326/307/354B/376(I)/506/34 of the Indian Penal Code.

And

In Re: ***Rajibul Mondal & Ors***

... .. Petitioners

Sk. Toslim Ali,
Ms. Saba Parween.

... .. for the petitioners

Mr. Imran Ali,
Ms. Sutapa Banerjee.

... .. for the State

It is submitted on behalf of the petitioners there was a commotion in the locality and they have been falsely implicated out of political rivalry. Allegation of rape is out and out false. They pray for anticipatory bail.

Learned Advocate for the State produces the Case Diary.

We have considered the materials on record including the statement of the victim lady. Her statements rules out a case of rape. Injuries on the victim are also minor in nature.

Under such circumstances, we are inclined to grant anticipatory bail to them.

Accordingly, we direct that in the event of arrest, the accuseds/petitioners 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 subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure, 1973 and they shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)