

25.08.2023

SL. 6
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3242 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dhubulia** Police Station Case No. **306** of **2023** dated **25.06.2023** under Sections **417/376(2)(n)/506/34** IPC.

And

In the matter of: **Sahima Khatun Mondal & Anr.**

....petitioners.

Ms. Juin Datta Chakraborty
Mr. Debasish Kundu

...for the petitioners.

Mr. P. K. Datta, Ld. APP
Mr. Santanu Deb Roy

...for the State.

1. Heard learned Counsel for the parties.
2. It is submitted at the Bar that petitioner no. 2 and the victim are major consenting parties and there was consensual physical relationship between them. Both the victim and petitioner no. 2 are also married. So far as petitioner no. 1 is concerned, it is alleged that at the instance of petitioner no. 2, she and others ransacked the house of the informant, but there is no evidence to that effect.
3. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation, and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail in the event of their arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
4. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy

of this order.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 3242 of 2023** is disposed of.
7. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

