

17.08.2023
S/L 28
Ct.No.28
SKB
(Allowed)

CRM (A) 3334 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Bongaon P. S. Case No.713 of 2022 dated 05.07.2022 under Sections 363/366A of the Indian Penal Code

And

In the matter of : Rahul Sardar and others

.... Petitioners

Mr. Susnigdho Bhattacharyya

... for the Petitioners

Mr. P. K. Datta, Id. APP

Mr. Santanu Deb Roy

... for the State

1. Petitioners submit there was a romantic relationship between the petitioner no.1 and the victim. Victim was recovered subsequently. Petitioners have been falsely implicated in the case. They pray for anticipatory bail.
2. Learned counsel for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. Statement of the victim discloses a romantic relationship between herself and petitioner no.1. Keeping in mind the aforesaid facts and she has already been recovered, we are of the view that custodial interrogation of the petitioners for progress of investigation is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners be released on bail 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 on further condition that the petitioners shall appear before the court below and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)