

05.04.2024

38

S.D./A.D.

Allowed

C.R.M. (A) No. 1003 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Jorasanko Police Station Case No. 27 of 2024 dated 17.02.2024 under Sections 376/417/506/34 of the Indian Penal Code pending before the learned Additional Chief Judicial Magistrate, Calcutta.

And

In Re : Md. Dilshad & Ors. petitioners

Mr. Arindam Jana
Mr. Subhajit Choudhury
Mr. Arhan Sengupta
Mr. Partha Pratim Sinha

.....for the petitioners

Mr. Arijit Ganguly
Ms. Trina Mitra

....for the State

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Ms. Laboni Sikder

..for the de facto complainant

1. Petitioners submit they are the relations of the principal accused Md. Nausad. They have been falsely implicated. They pray for anticipatory bail.
2. Learned Lawyer for the State opposes the prayer for anticipatory bail.
3. Learned Lawyer for the de facto complainant submits petitioners aided and abetted the principal accused in the crime.
4. We have considered the materials on record. Md. Nausad had cohabited with the de facto complainant on the false promise of marriage. Petitioners are the relations of the said accused.
5. Keeping in mind the extent to their complicity in the crime we are inclined to grant anticipatory bail to them.

6. Accordingly, we direct that in the event of arrest the petitioners shall 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 condition they shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.
7. The application for anticipatory bail is, thus, allowed.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)