

07.05.2024
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Ct. No. 29
S.D.
Allowed

C.R.M.(A) 1605 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Mogra** Police Station Case No. **100** of **2024** dated **15.03.2024** under Sections **341/447/323/307/354B/363/365/506/34/376** of the Indian Penal Code pending before the learned Chief Judicial Magistrate, Hooghly.

And

In Re : **Sikha Pandey @ Shikha Rani Pandey & Anr.**
..... petitioners
Mr. Suman Chakraborty
...for the petitioners
Mr. Rana Mukherjee
Ms. Pinky Sarkar
...for the State

Petitioners before us claim that they were falsely implicated.

We perused the materials in the case diary.

There are two statements recorded under Section 164 of the Cr.P.C.

The victim in her statements recorded under Section 164 of the Cr.P.C. that she was abducted by the principal accused, raped and thereafter rescued.

The narration of events appearing from the Section 164 Statement of the victim show that she came into contact with the members of the public during the so-called abduction and the incident subsequent thereto. She did not raise any hue and cry till she was rescued.

Victim is an adult.

Victim acknowledges that there was a relationship between her and principal accused.

In such circumstances, we grant anticipatory bail to the petitioners.

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. The petitioners will cooperate with the investigation till the conclusion of the investigation. 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.)

