

15.10.2020
Sl. No.38
akd
[ALLOWED]

C. R. M. 7654 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 28.09.2020 in connection with Harishchandrapur Police Station Case No. 205 of 2020 dated 14.03.2020 under Sections 363/365/509 of the Indian Penal Code and Sections 12/18 of the POCSO Act. (G.R. Case No.617 of 2020)

And

In Re: ***Kiran Malo @ Ratikant Malo***

... .. Petitioner

Mr. Avik Ghatak .. Advocate

Mr. Salman Hasan .. Advocate

Mr. Amit Ranjan Pati .. Advocate

... .. for the petitioners

Mr. Rana Mukherjee .. Ld. Addl. Public Prosecutor

Mr. Ashok Das .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. It is further submitted that the victim was recovered immediately after the incident.

Learned Additional Public Prosecutor opposes the prayer for anticipatory bail and submits that the victim is a minor girl.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the submission that the victim was recovered immediately after the incident, we are of the opinion that custodial interrogation of the accused/petitioner for progress of investigation is not necessary and he may be granted anticipatory bail.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely ***Kiran Malo @ Ratikant Malo***, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), 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 application for anticipatory bail is, thus, disposed of.

All concerned authorities shall act in terms of the copy downloaded from the official website of this court.

(Subhasis Dasgupta, J.)

(Joymalya Bagchi, J.)