

81 09.01.2020
ss Allowed

C.R.M. 225 of 2020

In the matter of : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 07.01.2020 in connection with Sahebganj P.S. Case No. 383 of 2019 dated 30.07.2019 under section 8 of the Protection of Children from Sexual Offences Act.

And

In the matter of : Sadhan Barman

Mr. Anindya Ghosh
Mr. Sudip Guha
Mr. Pronojit Roy

... .. for the petitioner

Mr. R. Jana

... .. for the State

It is submitted on behalf of the petitioner that there was a love affair between the parties and the petitioner has been falsely implicated in this case.

State produces the case diary and opposes the prayer for anticipatory bail.

Having considered the materials on record as well as the nature of allegations levelled against the petitioner in the light of the aforesaid submission made on behalf of the petitioner, we are inclined to hold that custodial interrogation of the petitioner may not be necessary and he may be granted pre-arrest bail subject to certain conditions.

Accordingly, we direct in the event of arrest the petitioner shall 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall not enter the jurisdiction of Sahebganj Police Station until further orders except for the purpose of investigation and attending Court proceedings and shall provide the address to the Court below as well to the investigation officer and shall report to the officer in charge of the Police Station within whose jurisdiction he shall reside once in a week until further orders and shall appear before the Court below and pray for regular bail within four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)