

97 09.01.2020
rkd Ct. No.28
(Allowed)

C.R.M. 255 of 2020

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **08/01/2020** in connection with **Mathabanga** P.S. Case No. **420 of 2019** dated **08/10/2019** under Sections **12** of the POCSO Act.

And

In the matter of: Pankaj Biswas @ Arjun Biswas & Ors.
....petitioners.

Mr. H. S. Podder

...for the petitioners.

Mr. S. K. Das

...for the State.

It is submitted on behalf of the petitioners that they have been falsely implicated in the instant case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

Having considered the materials in the case diary and bearing in mind the nature of allegations in the light of the fact that the victim girl has already been recovered, we are inclined to grant anticipatory bail to the petitioners subject to strict condition.

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 further condition that they shall not enter the jurisdiction of Mathabanga P.S. while on bail until further orders except for attending the court proceeding and/or investigation and they shall provide the address where they shall reside while on bail to the investigating officer as well as the court below and shall meet the Officer-in-charge of concerned Police Station where they shall reside once in a week until further orders and on condition that they shall appear before the court below and pray for regular bail within four weeks from date.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)