

13.02.2020
 SI No.68
 b.das
 Allowed

CRM 1610 of 2020

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 11.02.2020 in connection with Sahebganj P.S. Case No.616 of 2019 dated 17.12.2019 under Sections 363/365/109 of the Indian Penal Code read with Section 4/17 of the POCSO Act.

And

In Re: **Anil Chandra Barman & Anr.**

... .. Petitioners.

Mr. Pronojit Roy

... for the Petitioners.

Mr. Rana Mukherjee
 Mr. Suman Saha

... .. for the State.

It is submitted on behalf of the petitioners that they are the relations of the principal accused.

Learned lawyer for the state opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations levelled against the petitioners and in the light of the complicity of the petitioners in the alleged crime, we are of the opinion that custodial interrogation for progress of investigation is not necessary. The petitioners may be granted anticipatory bail under Section 438 Cr.P.C. Accordingly, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand only) each, with two sureties of like amount each, one of whom must be local, 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 that the petitioners shall appear before the investigating officer and hand over their passports, if any, within a fortnight from date. In the event they do not have passports, they shall personally appear before the investigating officer and furnish affidavits to that effect within the time frame mentioned hereinabove.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)