

26.02.21 In re: An application for anticipatory bail under Section 438 of the Code of
(S.R.) Criminal Procedure filed in connection with **Golabari** Police Station Case
Sl.20 **No.352 of 2017** dated **18.05.2017** under Sections **341/323/506/34** of
Ct.28 the Indian Penal Code, 1860 and Section **75** of the Juvenile Justice (Care
and Protection of Children) Act, 2015 and adding Section **6** of the POCSO
Act, 2012;

And

In re: Kuriakose Thannickel George & Anr.

... petitioners.

Mr. Deep Chaim Kabir

Mr. Mazhar Hossain Chowdhury

Mr. Suman Karmakar

Ms. Arina Bhattacharjee

... for the petitioners.

Mr. Rudradipta Nandy

...for the State.

Mr. Kabir, learned advocate appearing for the petitioners submits that the petitioner no.1 is the principal of the school and the petitioner no.2 happens to be the teacher of the same school. Both the petitioners have been diligently working for the betterment of the children of the said school and unnecessarily the present petitioners have been implicated at the instance of the parents of one of the students.

Mr. Nandy, learned advocate appearing for the State, on enquiry, submits that there has been compliance of the notice under Section 41A of the Code of Criminal procedure.

Having regard to the nature of allegations and the compliance made by the petitioners pursuant to the notice so issued, we are of the opinion that custodial detention of the petitioners may not be warranted in the facts and circumstances of the present case.

Accordingly, we direct that in the event of arrest, the petitioners, namely, **Kuriakose Thannickel George and Philip Mondal** 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Accordingly, the application for anticipatory bail being CRM No.467 of 2021, is allowed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)

