

4.
28-07-2021
(ct. no.32)
debajyoti

CRM 1245 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Uluberia Women Police Station Case No.02 of 2021 dated 02-01-2021 under Sections 447/448/427/341/323/325/354/379/506/34 of the Indian Penal Code and Sections 8/12 of the Protection of Children from Sexual Offences Act.

- A n d -

In the matter of : Sk. Borjahan @ Sk. Borjahan Ali & Ors.
.... Petitioners.

Ms. Juin Dutta Chakraborty

... For the Petitioners.

Mr. Saibal Bapuli, learned APP,
Mr. Soumik Ganguli

... For the State.

Leave is granted to counsel for the petitioners to correct the cause title of the petition.

The petitioners say that they have been falsely implicated in this case. The incident as alleged by the complainant never happened. In any event, the same is exaggerated and is a fall out of property disputes.

The State refers to the Case Diary and opposes the prayer for anticipatory bail.

We have seen the material in the Case Diary including the statement of the survivor girl recorded under Section 164 of the Code. Having considered the entire facts and circumstances of the case, we are of the opinion that the petitioners need not be arrested immediately.

Accordingly, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of

Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer of the concerned police station and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure until further orders. The petitioners shall not enter the jurisdiction of Uluberia Women Police Station until further orders.

The application for anticipatory bail being CRM 1245 of 2021 is, thus, **allowed**.

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

(**Suvra Ghosh, J.**)

(**Arijit Banerjee, J.**)