

19.05.2021
SL No.44
Court No.28
(gc)

CRM 1355 of 2021
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Khanakul Police Station Case No.14/2021 dated 09.01.2021 under Sections 366/376(2)(n)/354 of the Indian Penal Code read with Sections 4/6/8 of POCSO Act and Section 9 of Prohibition of Child Marriage Act corresponding to POCSO case No.02 of 2021.

And

In the matter of : **Sandip Ghoshal**

- Petitioner

Mr. Souvik Das

... For the Petitioner.

Mr. Madhusudan Sur, A.P.P.

Mr. Dipankar Paramanick,

... For the State.

It is submitted on behalf of the petitioner that the petitioner is the father of the principal accused who is in custody.

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

On consideration of the entire materials on record as well as the statement of the victim under Section 164 of the Code of Criminal Procedure, it appears that the allegation is against the principal accused who is the son of the petitioner and there is no prima facie implication of the petitioner in the materials available on record. Accordingly, the custodial interrogation of the petitioner is not required and he may be granted anticipatory bail. Accordingly, the prayer for anticipatory bail is allowed.

Accordingly, we direct that in the event of arrest the petitioner, namely, **Sandip Ghoshal**, shall be released on bail

upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, 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.

The application for anticipatory bail, being CRM No.1355 of 2021 is, thus, disposed of.

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

(Suvra Ghosh, J.)

(Soumen Sen, J.)