

CRM 2351 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Gangarampur Police Station Case No. 256 of 2020 dated 02.08.2020 under Sections 363/376(D)/506 of the Indian Penal Code.

- A n d -

In the matter of : Manoj Roy & Ors.

.... Petitioners.

Ms. Jeenia Rudra.

... For the Petitioners.

Md. Anwar Hossain
Ms. Sreyashee Biswas

... For the State.

The allegation is under Sections 363/376(D)/506 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act.

The prosecution case is that the victim girl was raped by the accused persons. Charge-sheet has been submitted against eight persons. Three of them have been granted bail by the court below. Five have come before this Court praying for anticipatory bail.

We have seen the material in the Case Diary including the statement of the victim girl. We have considered the injury report.

None of the petitioners has been named in any of the statements recorded under Sections 161/164 of the Code. No specific allegation has been made against the petitioners. The allegations are omnibus in nature.

On an overall assessment of the facts and circumstances of the case and the material on record and also

in view of the fact that charge-sheet has been submitted, we are inclined to allow the prayer of the petitioners.

Accordingly, 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, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438 (2) of the Code of Criminal Procedure until further orders.

The application for anticipatory bail being CRM 2351 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.)