

68 17.11.2021
(AD)
Court No.29
(Allowed)

**C.R.M. 5127 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 30.07.2021 in connection with **Ghatal (Paschim Medinipur)** P.S. Case No. **386 of 2020** dated **22/11/2020** under Sections **363/365/34** of the Indian Penal Code and added Section **376(2)(i)** of the Indian Penal Code and Section **6** of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: Sashadhar Midya & Ors.

....petitioners.

Mr. Abhijit Basu
Mr. Arghya Kamal Das

...for the petitioners.

Mr. Bidyut Kumar Roy
Ms. Rita Datta

...for the State.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the petitioners were falsely implicated. The main accused surrendered before the jurisdictional Court and was enlarged on bail.

Learned Advocate appearing for the State draws the attention of the Court to the statement recorded under Section 164 of the Code of Criminal Procedure of the victim girl.

Considering the materials in the case diary and the complicity of the petitioners in the incident and considering the fact that the main accused was enlarged on bail by the jurisdictional Court and considering that the police submitted charge sheet, we grant anticipatory bail to the petitioners

Accordingly, we direct that 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 to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that they shall appear before the jurisdictional Court on the dates fixed for trial and pray for regular bail within four weeks from date.

The application for anticipatory bail being C.R.M. 5127 of 2021 is, thus, disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)