

CRM 5299 of 2021

In Re : - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Harwood Point Coastal P.S. Case No. 283 of 2020 dated 17.12.2020 under Sections 363/365 of the Indian Penal Code read with Section 6 of the POCSO Act.

AND

In the matter of : Raju Singh & Anr.

Mr. Mrityunjoy Chatterjee  
Md. G. N. Imrohi  
Mr. Sreejit Basu Roy

.... For the Petitioners

Mr. Sandip chakraborty

... For the State

Having considered the materials on record prima facie disclosing involvement of the petitioner No. 1 in assisting the principal accused in trafficking a minor to a different State for the purpose of sexual exploitation, we are not inclined to grant anticipatory bail to the petitioner no. 1.

However, keeping in mind the extent of complicity of petitioner no. 2 in the alleged crime and as she stands on the same footing with Ms. Mamata Singh @ Chuhan the mother of the principal accused who has been granted pre-arrest bail, we are of the opinion that petitioner No. 2 may be granted anticipatory bail. .

Accordingly, we direct that in the event of arrest the petitioner No. 2, Nisha Chowhan shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioner

No. 2 shall appear before the Court below and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus allowed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi J.)