

15.09.2021
tkm/ct 29
sl no. 45

C.R.M. 5774 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Gazole P.S Case no. 245 of 2020 dated 12.6.2021 under sections 306/34 of the IPc

And

Allowed

In Re : Sanjit Murmu @ Sanjib Murmu

..... petitioner

Ms. A Banerjee
Ms. Pooja Shukla
Mr. Dr. J Adhikary

..... for the petitioner

Ms. Faria Hossain
Ms. Sonali Das

..... for the State

Petitioner seeks anticipatory bail.

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case by the victim girl. According to the learned advocate for the petitioner, the petitioner cannot have any relationship with the minor. She relies upon a judgment of the Supreme Court dated September 14, 2021 passed in Criminal Appeal no. 953 of 2021(Velladurai vs. State represented by the Inspector of Police)

Learned advocate for the State opposes the prayer for anticipatory bail and draws attention of this Court to the statement recorded under section 161 Cr.P.C.

Considering the facts and circumstances of the case as well as the materials in the case diary and statement recorded under section 161 Cr.P.C by the mother of the victim, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- 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 the petitioner while on bail, shall meet the investigating officer once in a week until further orders. Petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

The application being CRM 5774 of 2021 is disposed of.

(Ananda Kumar Mukherjee, J.)

(Debangsu Basak, J.)