

25-11-2021
Item no.116
Subrata
Allowed

IN THE HIGH COURT AT CALCUTTA
Criminal Miscellaneous Jurisdiction

CRM No.6076 of 2021

Pijush Dutta

-vs-

The State of West Bengal

In Re: An application for anticipatory bail under **Section 438 CrPC** in connection with Dum Dum P.S. Case No.692 of 2021 dated June 30, 2021 under sections 4/8/10/12 POCSO Act, 2012.

Mr. Md. Sabir Ahmed
Mr. Mujibar Ali Naskar
Mr. Arpan Saha
Mr. S. Saha

...for the petitioner

Mr. Abhra Mukherjee
Mr. Dipankar Mahata

... for the State

Mr. Subhodeep Ghosh
Mr. Avinaba Patra

...for the de facto complainant

The petitioner seeks anticipatory bail.

Learned advocate for the petitioner submits that the complaint is a result of a political rivalry. The petitioner lodged the complaint against the de facto complainant whereupon the de facto complainant lodged the present complaint.

Learned advocate for the State draws the attention of the court to a statement recorded under section 164 CrPC of the victim.

Learned advocate for the de facto complainant submits that the complaint lodged by the de facto complainant was prior in point of time.

Considering the materials in the case diary and considering the fact that the political rivalry between the petitioner and the de facto complainant cannot be brushed away and considering the order passed by the writ court dated August 11, 2021 in WPA No.11484 of 2021 (Debabrata Biswas v. The State of West Bengal &

Ors.) commenting on the conduct of the petitioner and the private respondent with regard to the allegations under the POCSO Act, we grant the petitioner anticipatory bail.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000 (Rupees ten thousand only) with two sureties of like amount, to the satisfaction of the arresting officer and also subject to the conditions laid down under section 438(2) CrPC ; and on further condition that the petitioner shall meet the investigating officer once a month until further orders and that he shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

The application for anticipatory bail being CRM No.6076 of 2021 is thus disposed of.

Leave is granted to learned advocate-on-record for the petitioner to correct the cause title as prayed for.

[Debangsu Basak, J]

[Bibhas Ranjan De, J]

