

11.11.2021
Serial no.12
Aloke
Ct. No. 29

(Through Video Conference)

CRM 6583 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 29.09.2021 in connection with Harwood Point Coastal Police Station Case No. 205 of 2021 dated 01.07.2021 under Sections 323/325/354/506/34 of the Indian Penal Code and Section 12 of the POCSO Act.

-And-

In the matter of : **Alauddin Gaji & Anr.**

... Petitioners

Mr. Tanmay Basu, Advocate

Mr. Debadip Mandal, Advocate

... ... For the Petitioners

Ms. Sukanya Bhattacharya, Advocate

Mr. Nirupam Dhali, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that there is a previous civil suit between the private parties. The petitioners were falsely implicated.

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

Considering the nature of injury and the statements recorded under Section 164 of the Criminal Procedure Code of the victim girl as well as the complicity of the petitioners in the incident, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on anticipatory bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall appear before the Court below and pray for regular bail within four weeks from date

and with a further condition that the petitioner no. 1 will appear before the Investigating Officer once in a month and petitioner no. 2 will cooperate with the investigation.

The prayer for anticipatory bail is allowed.

CRM 6583 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)