

16.12.2021.
128.
as
(Allowed).

C.R.M. 6754 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Murutia P. S. Case No.196 of 2021 dated 16.09.2021 under Section 376 of the Indian Penal Code and Section 6 of POCSO Act and adding Section 21 of the POCSO Act.

In the matter of : Tuhin Sarkar & Anr.

... Petitioners.

Mr. Milon Mukherjee, ld. Sr. Adv.,
Mr. Atish Kr. Biswas,
Mr. Partha Sarkar,
Mr. Amit Singh,
Mr. Jyoti Agarwal.

...for the Petitioners.

Mr. N. Ahmed, ld. A.P.P..

.....for the State.

Heard the learned Advocates appearing for the parties.

It is contended co-accused have been granted pre-arrest bail. Petitioners are not the principal accuseds.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

We have considered the materials on record and keeping in mind the extent of complicity of the petitioners in the alleged crime and as co-accuseds have been granted pre-arrest bail, we are inclined to extend the same privilege to the petitioners also.

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 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 trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)