

15.11.2021
Serial no.36
Aloke
Ct. No. 29

(Through Video Conference)

CRM 7255 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 08.10.2021 in connection with AJC Bose B Garden Police Station Case No. 54 of 2021 dated 01.05.2021 under Sections 341/323/325/427/506/354/34 of the Indian Penal Code and Section 8 of the POCSO Act.

-And-

In the matter of : **Paresh Nath Khatuya & Ors.**

... Petitioners

Mr. Sanjib Mitra, Advocate

Mr. Suryasarathi Basu, Advocate

... .. For the Petitioners

Mr. Parsun Kr. Dutta, Id. APP

Mr. Subrata Roy, Advocate

... ..For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioners were falsely implicated.

Learned Advocate appearing for the State draws the attention of the Court to the contents of the case diary including two statements recorded under Section 164 of the Criminal Procedure Code.

Considering the materials in the case diary and considering the fact that there are disputes between the petitioners and the de facto complainant and considering the statements recorded under Section 164 of the Criminal Procedure Code, 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 with a further condition that the petitioner nos. 1 and 2 shall appear before the investigating officer once in a month and petitioner nos. 3, 4 and 5 shall cooperate with the investigation and on further

condition that the petitioners shall appear before the Court below and pray for regular bail within four weeks from date.

The prayer for anticipatory bail is allowed.

CRM 7255 of 2021 is disposed of.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)