

17.11.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 7357 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Malda** Police Station Case No. **339** of **2020** dated **20.06.2020** under Sections 363/365 of the Indian Penal Code, 1860 read with Section 6 of the Protection of Children from Sexual Offences Act.

And

In Re : Prasenjit Ghosh @ Prasanjit Ghosh & Anr.

..... petitioners

Mr. Kallol Mondal
Mr. Musharaff Alam Sk.
Mr. Krishan Roy
Mr. Souvik Das

....for the petitioners

Mr. P. K. Dutta
Mr. Goutam Wilson

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, there is a longstanding relationship between the petitioner and the victim girl. Petitioner no. 1 and the victim eloped in the year 2019. Subsequently, the police complaint was lodged.

Learned advocate appearing for the State draws the attention of the Court to the contents of the case diary.

Considering the materials in the case diary and considering the age of the victim and considering the past relationship of the victim with the petitioner no. 1 as it

transpires from the First Information Report, we grant anticipatory bail to the petitioners.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further conditions that the petitioner no. 1 shall meet the investigating officer once in a month until further orders and the petitioner no. 2 will cooperate with the investigation and on condition that the petitioners shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)