

25.11.2021

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 7661 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Daspur** Police Station Case No. **376** of **2021** dated **25.07.2021** under Sections 363/365/34 of the Indian Penal Code, 1860 and adding Section 4 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : Khokan Ghorai & Anr.

..... petitioners

Mr. Mrityunjoy Chatterjee

Mr. Bhaskar Hutait

Mr. Debapriya Majumdar

Mr. Surajeet Basu Roy

....for the petitioners

Mr. Navanil De

....for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. He contends that the police submitted charge-sheet and, therefore, custodial interrogations of the petitioners are not required.

Learned advocate appearing for the State draws the attention of the Court to the statements recorded under Section 164 of the Code of Criminal Procedure (Cr. P. C.).

Considering the materials in the case diary and considering the fact that the police submitted charge-sheet and considering the fact that the co-accused was enlarged on bail by

the Jurisdictional Court and considering the complicity of the petitioner in the alleged incident, 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 and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 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.)

(Bibhas Ranjan De, J.)