

SL. 31
March 17, 2021.
AKG

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION

C.R.M. 363 of 2021

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on January 14, 2021 in connection with Falakata Police Station Case No. 382 of 2020 dated December 4, 2020 under section 18 of The Protection of Children from Sexual Offences Act, 2012.

And

Allowed

In Re : Niroj Barman @ Niral Barman.

... petitioner.

Mr. Arnab Saha

... for the petitioner.

Mr. Nilay Chakraborty,
Mr. Abhijit Sarkar

... for the State.

Learned advocate for the petitioner submits that the complaint has been lodged against the petitioner as a result of a dispute related to payment for hiring the e-rickshaw belonging to the petitioner by the brother of the victim.

Learned advocate appearing for the State opposes the prayer for bail.

The recorded statement of the victim girl does not disclose penetrative sexual assault against her by the petitioner.

We feel that the petitioner should be granted the benefit of anticipatory bail. In the event of arrest, the petitioner shall be released on bail subject to furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local subject to the satisfaction of the arresting officer. The petitioner will

meet the investigating officer once in a week till the charge sheet is filed. Petitioner will comply with the other conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

The prayer for anticipatory bail is allowed.

(Sabyasachi Bhattacharyya, J.)

(Kausik Chanda, J.)