

31.01.2022
Serial no. 02
Dd

(Through Video Conference)

CRM(A) 192 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Uluberia** Police Station Case No. **318** of **2021** dated **23.09.2021** under Sections **448/323/325/427/354/34** of the Indian Penal Code read with Section **8** of the Protection of Children from Sexual Offences Act, 2012 giving rise to Special case (POCSO) No. **52 of 2021**.

-And-

In the matter of : **Sk. Suraj @ Sk. Surah Islam**
... **Petitioner**

Mr. Soumya Banerjee, Advocate
... .. For the Petitioner

Mr. Anwar Hossain,
Ms. Ratna Ghosh, Advocates
... ..For the State

Mr. Sabyasachi Banerjee, advocate
.. ...for the de facto complainant

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the police complaint is a result of a family enmity.

Other co-accused was granted anticipatory bail in CRM 7830 of 2021 and that another co-accused was granted bail by the jurisdictional Court.

State and the de facto complainant are represented.

Learned advocate appearing for the de facto complainant draws the attention of the Court to the statements recorded under Section 164 of the Criminal Procedure Code.

Considering the statements recorded under Section 164 of the Criminal Procedure Code and considering the nature of injury and considering the fact that another co-accused was granted anticipatory bail in CRM 7830 of 2021, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 further condition that the petitioner shall appear before the Court below and pray for regular bail within a period of four weeks from date.

Prayer for anticipatory bail is **allowed**.

CRM(A) 192 of 2022 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)