

25.01.2022

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Ct. No. 29

KAUSHIK

Allowed

**C.R.M.(A) 219 of 2022
(through Video conference)**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Shyampur** Police Station FIR Case No. **346** of **2021** dated **01.09.2021** under Sections 363/365 of the Indian Penal Code, 1860 read with Sections 8/12 of the POCSO Act, 2012.

And

In Re : Manik Chand Jana

..... petitioner

Mr. Niladri Sekhar Ghosh

Ms. Devapriya Mitra

....for the petitioner

Mr. Bidyut Roy

Ms. Rita Dutta

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner and the de-facto complainant were known to each other. The petitioner was falsely implicated.

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

Considering the 164 Cr.P.C. statement of the victim lady and considering the fact that victim herself claims that she knew the petitioner prior to the incident, we 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/-, 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 meet the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner 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.)