

5 14.02.2022
(AD)
Court No.29
(Allowed)

C.R.M. (A)545 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tarakeswar** P.S. Case No. **44 of 2020** dated **16/05/2020** under Sections **376(2)(f)/511/341/448/323/506/34** of the Indian Penal Code, 1860 and Sections **10/18** of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: Sk. Sirajul Hossain

....petitioner.

Mr. Sabir Ahmed
Mr. Apan Saha

...for the petitioner.

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra

...for the State.

Petitioner seeks anticipatory bail.

Supplementary affidavit filed in Court be taken on record.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. He refers to the supplementary affidavit filed in Court. He submits that there was a previous complaint lodged by the family of the petitioner against the de facto complainant.

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 of the victim. In response to a query of the Court, she submits that the police submitted charge sheet. However, the petitioner is absconding for a period of two years.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the police submitted charge sheet, 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/-(Rupees Ten Thousand Only) with two sureties of like amount each to the satisfaction of the Arresting Officer and also 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 four weeks from date and on further condition that the petitioner shall appear before the Court below on every date fixed for hearing.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M.(A) 545 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)