

CRM (A) 1248 of 2022

In re: An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 10.03.2022 in connection with Tehatta P.S. Case No.42 of 2021 dated 20.01.2021 under Sections 363/365/376/120B/34 of the Indian Penal Code and Section 4 of the POCSO Act.

-And-

In the matter of : **Manna Khan @ Mannan Khan**

... ...Petitioner

Mr. Asraf Mandal, Advocate

... ... For the Petitioner

Mr. Prasun Kr. Datta, Advocate

Mr. Subrata Roy, Advocate

... ... For the State

Leave granted to the learned Advocate for the petitioner to correct the cause title.

Petitioner seeks anticipatory bail.

Supplementary affidavit filed in Court be taken on record.

It appears from the supplementary affidavit that the petitioner and the victim are married.

It appears from the statement of the victim recorded under Section 164 of the Code of Criminal Procedure that the victim is 17 years of age.

Considering the contents in the supplementary affidavit and considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the relationship between the petitioner and the victim and considering the age of the petitioner, we deem it appropriate to grant anticipatory bail.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and

on condition that the petitioner will report before the Investigating Officer once in a month till the conclusion of the investigation and on condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail is allowed.

CRM (A) 1248 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)