

24.03.2022
19 & 20
Ct. No. 29
KAUSHIK
Allowed

C.R.M.(A) 1369 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bolpur Women** Police Station Case No. **08** of **2022** dated **14.02.2022** under Sections 448/427/354/506 of the Indian Penal Code, 1860 read with Sections 10/12 of the Protection of Children from Sexual Offences Act.

With

C.R.M.(A) 1371 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Santiniketan** Police Station Case No. **22** of **2022** dated **16.02.2022** under Sections 354A/354B of the Indian Penal Code, 1860 read with Sections 10/12 of the Protection of Children from Sexual Offences Act.

And

In Re : Joydeb Das & Anr.

..... petitioners

Mr. Saryati Dutta

....for the petitioner in CRM(A) 1369 of 2022

Mr. Sanjib Kumar Daan

....for the petitioner in CRM(A) 1371 of 2022

Mr. Arup Kumar Mandal

....for the State in CRM(A) 1369 of 2022

Mr. Iqbal Kabir

....for the State in CRM(A) 1371 of 2022

Two applications for anticipatory bail are taken up analogously since they revolve around the same private parties. Both the petitioners claim that, they misutilised their respective

child for the purpose of lodging the respective police complaints, inter alia, under the provisions of the Protection of Children from Sexual Offences Act, 2012.

State is represented in both the proceedings.

Given such conduct of the respective de-facto complainants in the two proceedings, it would be appropriate to caution the parents of the victims in both the proceedings that in future if such an incident is repeated, then they will be visited with serious consequences.

In view of the submissions made in Court on behalf of both the de-facto complainants, we deem it appropriate to enlarge the petitioners in the two proceedings on anticipatory bail.

Accordingly, we direct that in the event of arrest the petitioners in CRM (A) 1369 of 2022 and CRM (A) 1371 of 2022 shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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 petitioners shall meet the Investigating Officer once in a month till the conclusion of the investigation and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)