

25.04.2022
Serial no.20
Aloke

CRM (A) 1846 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Bagnan Police Station Case No. 141 of 2022 dated 28.03.2022 under Sections 341/323/325/379/34 of the Indian Penal Code and Section 12 of the POCSO Act.

-And-

In the matter of : **Siddhartha Bera & Anr.**

... .. Petitioners

Mr. Anindya Ghosh, Advocate

... .. For the Petitioners

Mr. Swapan Banerjee, Advocate

Ms. Purnima Ghosh, Advocate

... ...For the State

Mr. Sabir Ahmed, Advocate

... .. For the De facto complainant

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submit that there was complaint lodged at the behest of the petitioners. The present police complaint is a counter blast to that.

Learned Advocate appearing for the State draws the attention to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

The de facto complainant is represented.

Considering the gravity of the offence and the involvement of the petitioners therein as transpiring from the materials in the case diary and considering the fact that the present police complaint was filed as a counter blast to the previous one cannot be ruled out at the present stage, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) 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 condition that the petitioner no. 1 will report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 2 will cooperate with 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.

The prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 1846 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)