

05.05.2022

Sl. 28
Court No.29
suvayan
(Allowed)

CRM (A) 2050 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Shyampur** P.S. Case No. **160 of 2022** dated **22/04/2022** under Sections **363/366/342/506/34** of the Indian Penal Code and under Sections 8/17 of the POCSO Act.

And

In the matter of: Subhasish Manna & Ors.

....petitioners.

Mr. Biswajit Tiwari
Mr. Sk. Salim

...for the petitioners.

Mr. Avishek Sinha

...for the State.

Leave granted to the learned Advocate appearing for the petitioners to correct the cause title as prayed for.

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that there was a love relationship between the petitioner no.1 and the victim.

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

In her statement recorded under Section 164 of the Criminal Procedure Code, the victim claims that she went voluntarily with the petitioners.

Considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code and considering the gravity of the offence and the involvement of the petitioners therein, we 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 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 (*Subhasish Manna*) and the petitioner no.2 (*Amar Manna*) will report before the Investigating Officer once in a fortnight and the petitioner no.3 (*Jayanti Manna*) shall co-operate with the Investigating Officer 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.

Accordingly, the prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 2050 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)