

17.05.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 2193 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Joynagar** Police Station Case No. **651** of **2021** dated **30.09.2021** under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : Shambhu Naskar

..... petitioner

Mr. Angsuman Chakraborty

....for the petitioner

Mr. Tanmoy Kumar Ghosh

Ms. Sonali Bhar

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated in view of the political ideology that the petitioner ascribes to.

Learned advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) and the 161 Cr.P.C. statement of the father of the victim. He also refers to the complaint lodged by the father of the victim.

There are shifting in stand between the initial complaint lodged with the police with that of the 161 Cr.P.C. and 164 Cr.P.C. statements.

Considering the materials in the case diary, the involvement of the petitioner therein and considering the fact that the police filed 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/-, 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 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)