

29.06.2022

52

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 3048 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baishnabnagar** Police Station Case No. **137** of **2022** dated **10.02.2022** under Sections 417/315/506/34 of the Indian Penal Code, 1860 read with Section 6 of the Protection of Children from Sexual Offences Act.

And

In Re : Goutam Mandal

..... petitioner

Mr. Sanat Kumar Das

Mr. Sujan Chatterjee

....for the petitioner

Ms. Sreeparna Das

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was not named in the First Information Report (FIR). The petitioner, however, was named in the charge-sheet submitted by the police. Other co-accuseds were granted anticipatory bail by this Hon'ble Court.

Learned advocate appearing for the State draws the attention of the Court to the statement recorded under Section 161 of the Code of Criminal Procedure (Cr.P.C.) and to the charge-sheet.

In reply to query of the Court, she submits that the petitioner is not named in the 161 Cr.P.C. statement.

Considering the fact that the police filed charge-sheet and considering the fact that other co-accuseds are on anticipatory bail, 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.)