

**30.06.2022**  
Serial no.16  
Aloke

**CRM (A) 3077 of 2022**

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Nowda Police Station Case No. 100 of 2022 dated 08.05.2022 under Sections 363/365/376/34 of the Indian Penal Code and Sections 4/8/12 of the POCSO Act.

-And-

In the matter of : **Lal Babu Sekh & Ors.**

... .. Petitioners

Mr. Anisur Rahman, Advocate  
Mr. Arnab Chatterjee, Advocate  
Mr. D. Biswas, Advocate

... .. For the Petitioners

Mr. Joydeep Roy, Advocate  
Mr. Amanul Islam, Advocate

... ...For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the principal accused is in custody. The petitioners are the father, uncle and the grand father of the principal accused.

Learned Advocate appearing for the State draws the attention to the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. He submits that the police filed charge-sheet.

The victim is 14 years old. The statement of the victim recorded under Section 164 of the Code of Criminal Procedure squarely implicates the principal accused.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the role of the petitioners as ascribed in the statement recorded under Section 164 of the Code of Criminal Procedure and considering the fact that the police filed charge-sheet, 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 further condition that the petitioners shall appear on every date 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.

Prayer for anticipatory bail of the petitioners is allowed.

CRM (A) 3077 of 2022 is disposed of.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**