

05.07.2022
Item No.34
Court No.29
CHC
Allowed

CRM (A) 3163 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Shyampukur Police Station Case No. 136 of 2022 dated 07.04.2022 under Sections 498(A)/313/376(3) of the Indian Penal Code and under Section 4 of POCSO Act and with added Section 6 of the POCSO Act.

-And-

In the matter of : **Dipali Dagar**
...petitioner

Mr. Debapriya Samanta, Advocate
Mr. Samrat Ghosh

... ... For the Petitioner

Mr. Arijit Ganguly, Advocate
Mr. Navanil De

... ...For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that principal accused was enlarged on bail by the coordinate Bench.

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

The victim in her statement recorded under Section 164 of the Criminal Procedure Code narrates an incident happening three years ago when she was at the age of 16 years.

Considering the fact that the principal accused was enlarged on bail by the coordinate Bench and considering the involvement of the petitioner in the incident and considering the fact that police filed charge-sheet, we are inclined to grant 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/- (Rupees Ten Thousand Only), 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 meet the Investigating Officer as and when called for and on further condition that the petitioner 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 petitioner is allowed.

CRM (A) 3163 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)