

13.07.2022
Serial no.32
Aloke

CRM (A) 3335 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Hanskhali Police Station Case No. 299 of 2020 dated 09.07.2020 under Sections 363/366/34 of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of : **Subrata Sadhukhan**

... .. Petitioner

Mr. Snehansu Majumder, Advocate

... .. For the Petitioner

Mr. Narayan Prasad Agarwala, Advocate

Mr. Pratick Bose, Advocate

Ms. Subhasree Patel, Advocate

... ..For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the victim went voluntarily with the petitioner.

Learned Advocate appearing for the State draws the attention to 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 of about 17 years of age, in her statement recorded under Section 164 of the Code of Criminal Procedure states that she went voluntarily with the petitioner. She also claims that she married the petitioner. The police filed charge-sheet.

In such circumstances, we are inclined to 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/- (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 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 petitioner 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) 3335 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)