

22.07.2022
Serial no. 39
[Dd]
(Anticipatory bail)
Allowed

CRM (A) 3497 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Ratua** Police Station Case No. **329** of **2021** dated **04.07.2021** (Special Case No. **65 of 2021**) under Sections **363/376/34** of the Indian Penal Code, added Section – **6** of the Protection of Children from the Sexual Offences Act.

-And-

In the matter of : **Kanai Ghosh**

... .. Petitioner

Mr. Kallol Mondal,
Mr. Krishan Roy,
Mr. Arup Sarkar,
Mr. Souvik Das,
Mr. Sourav Mukherjee, Advocates
... .. For the Petitioner

Mr. Avishek Sinha, Advocate
... ..For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned advocate appearing for the State draws the attention of the Court to the statements of the victim recorded under Section 164 of the Criminal Procedure Code, a statement of a neighbour recorded under Section 161 of the Criminal Procedure Code and the medical examination report of the victim.

Considering the medical examination report of the victim, the statement recorded under Section 161 of the Criminal Procedure Code and the statement of the victim recorded under Section 164 of the Criminal Procedure Code

and the age of the petitioner and also considering the fact that police filed charge sheet, 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 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 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) 3497 of 2022 is **disposed of.**

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)