

29.07.2022
Serial no.47
Aloke

CRM (A) 3631 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Chandannagar Police Station Case No. 129 of 2022 dated 24.05.2022 under Sections 341/448/504/323/325/354/34 of the Indian Penal Code and Section 12 of the POCSO Act.

-And-

In the matter of : **Brindaban Santra & Ors.**

... .. Petitioners

Mr. Arindam Dey, Advocate

Mr. Smarajit Basu, Advocate

Mr. Pritam Chakraborty, Advocate

... .. For the Petitioners

Mr. Prasun Kr. Dutta, Id. APP

Mr. Subrata Roy, Advocate

... ..For the State

Petitioners seek anticipatory bail.

Learned Advocate appearing for the petitioners submits that the incident arose out of family disputes. The petitioners were falsely implicated.

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 and the medical examination report of the father of the victim.

Apparently, the incident arose between the family members of the victim.

In view of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and the materials in the case diary 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

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) 3631 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)