

24.08.2022
Serial no. 38
[Dd]
(Anticipatory Bail)
(**Allowed**)

CRM (A) 4052 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kakdwip** Police Station Case No. **225** of **2022** dated **25.07.2022** under Sections **341/323/506/34** of the Indian Penal Code and Section **12** of the POCSO Act.

-And-

In the matter of : **Sk. Sayed @ Sahed Sekh & Anr.**

... .. Petitioners

Ms. Minoti Gomes,
Mr. Dilip Kr. Shyamal
Mr. Koushik Banerjee, Advocates
... .. *For the Petitioners*

Mr. Arijit Ganguly,
Ms. Debjani Shaw, Advocates
... .. *For the State*

The victim recorded a statement under Section 164 of the Criminal Procedure which does not suggest any offence under the POCSO Act, *prima facie*. The injured suffered simple injuries.

In such circumstances, 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 report before the Investigating Officer once in a month till the conclusion of the investigation 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) 4052 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)