

24.08.2022
Serial no. 41
[Dd]
(Anticipatory bail)
Allowed

CRM (A) 4055 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Sonarpur** Police Station Case No. **794** of **2022** dated **17.07.2022** under Sections **341/354/509/506/34** of the Indian Penal Code and Section **8** of the Protection of the Children from Sexual Offences Act, 2012.

-And-

In the matter of : **Satyajit Deb**

... .. Petitioner

Mr. Aniruddha Tewari,
Ms. Rajlakshmi Ghatak, Advocates
... .. *For the Petitioner*

Mr. Soumik Ganguly, 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 statement of the victim recorded under Section 164 of the Criminal Procedure Code.

Apparently, the police complaint was lodged after 5 months from the date of the incident.

It is claimed on behalf of the petitioner that the petitioner and the father of the de facto complainant are neighbours and that there is an ongoing disputes between the petitioner and the father of the victim with regard to the victim and her machinations at the school where the victim and the daughter of the petitioner studies.

The possibility of the petitioner being falsely implicated cannot be ruled out. We are, therefore, 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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation 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) 4055 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)