

30.03.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M. 8224 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Panchla** Police Station Case No. **58** of **2021** dated **22.02.2021** under Sections 448/341/195A/323/354/506/34 of the Indian Penal Code, 1860 read with Section 12 of the Protection of Children from Sexual Offences Act, 2012 and added Section 354B/427 of the Indian Penal Code, 1860.

And

In Re : Shrikanta Ghosh & Ors.

..... petitioners

Mr. Sabyasachi Chatterjee

Mr. Pintu Karar

Mr. A. Mukherjee

....for the petitioners

Mr. Angsuman Chakraborty

....for the State

Petitioners seek bail.

Learned advocate appearing for the petitioners submits that, an altercation took place with regard to a road. The petitioners were falsely implicated.

Learned advocate appearing for the State draws the attention to the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.).

The victim is nine years old. The victim named the petitioners as the persons assaulting the victim and outraging her modesty.

The victim was present in a group of persons. The doctor examined the victim notes in the injury report that the uncle assaulted her during quarrel over land dispute between her mother and the uncle.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the materials in the case diary and considering the fact that the police filed charge-sheet, we 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/- 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 every day 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

