

13.10.2022

Vacation Bench
SL No.78
S.B/s.biswas
(Allowed)

C.R.M. (A) 4879 of 2022

In Re: - An application for bail under Section 438 of the Code of Criminal Procedure in connection with **Bauria** P.S. Case No.**290 of 2018** dated **28.12.2018** under Sections **363/323** of the Indian Penal Code read with Section **6** of the POCSO Act and Section **9** of the Prohibition of Child Marriage Act.

And

In the matter of: **Smt. Hemlata Rajbhar and others**

....Petitioners

Mr. Somopriyo Chowdhury
Mr. Mriganka Patra

...for the Petitioners

Mr. Anowar Hossain,
Mr. Asif Dewan

...for the State

Petitioners are the parents of the principal accused.

Victim has already been recovered.

Under such circumstances, custodial interrogation of the petitioners for the progress of investigation is not necessary.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of ₹10,000/- each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, allowed.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)