

11.11.2022

09

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5158 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hingalganj** Police Station Case No. **82** of **2022** dated **09.05.2022** under Section 380 of the Indian Penal Code, 1860.
And

In Re : Krishnapada Mandal & Anr.

..... petitioners

Mr. Kallol Kumar Basu

Md. Jannat Ul Firdous

....for the petitioners

Mr. Saibal Bapuli

Ms. Sayanti Santra

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that, the petitioners were falsely implicated. There is a previous police case involving the provisions of the Protection of Children from Sexual Offences Act pending against the relatives of the de-facto complainant.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

The issue of false implication of the petitioners cannot be overlooked at this stage. There is a previous police case involving the relatives of the de-facto complainant.

In such circumstances, 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 further condition that the petitioners shall meet the Investigating Officer once a month till the conclusion of the investigation 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)