

14.11.2022

24

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5171 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ekbalpur** Police Station Case No. **491** of **2021** dated **23.11.2021** under Sections 25/27 of the Arms Act and Section 6 of the Protection of Children from Sexual Offences Act.

And

In Re : Ajmeri Khatoon & Ors.

..... petitioners

Mr. Angsuman Chakraborty
....for the petitioners

Mr. Arijit Ganguly
Mr. Sujan Chatterjee
....for the State

There are two previous police complaints.

There is a report of the Child Welfare Committee, Kolkata dated November 25, 2021 to the Officer-in-Charge of Ekbalpur Police Station to the effect that the child is not willing to stay with the father, the complainant herein.

The issue of false implication of the petitioners cannot be overlooked.

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 petitioner nos. 2 (Faizan Anwar), 3 (Mohammad Yesa Rizvi alias Yesa Rizvi), 5 (Mirza Akhter Beg), 7 (Md. Ali alias Mohammad Ali), 8 (Sajjad Ahmed), 9 (Md. Salim alias Mohammed Salim) and 10 (Akhtar Mirza) shall meet the Investigating Officer once a week till the conclusion of the investigation and petitioner nos. 1 (Ajmeri Khatoon), 4 (Nayyara Kiran), 6 (Shana Salim alias Sana Alim) and 11 (Shabana Begum) shall cooperate with the Investigating Officer 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.)