

29.11.2022
Serial no. 06
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 5263 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Khayrasole** Police Station Case No. **54** of **2022** dated **26.06.2022** under Sections **363/365** of the Indian Penal Code read with Sections **4/8/12** of the Protection of Children from Sexual Offences Act, 2012 (corresponding to Special (P).Case No. 27/2022)

-And-

In the matter of : **Pankaj Saha**

... .. Petitioner

Mr. Saryati Datta,
Mr. Sanjib Kr. Dan,
Mr. Chitrak Biswas, Advocates
... .. *For the Petitioner*

Mr. Bidyut Kr. Roy,
Ms. Sima Biswas, Advocates
... ..*For the State*

The victim in her statement recorded under Section 164 of the Criminal Procedure Code claims that she went voluntarily to her matrimonial aunt's place.

None appears for the victim despite service.

State is represented.

In view of the statement of the victim as noted above and in view of the materials in the case diary, we are 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 as and when called for 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) 5263 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)