

23.11.2022
Serial no.27
Aloke

CRM (A) 5375 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Kolaghat Police Station Case No. 369 of 2020 dated 18.11.2020 under Sections 363/366/376 of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of : **Tarak Santra**

... .. Petitioner

Mr. Subhasish Panchal, Advocate

... .. For the Petitioner

Ms. Anasuya Sinha, Advocate

Mr. Pinak Kr. Mitra, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

The victim and the petitioner before us are married. There is a child born out of the wedlock.

The statement of the victim recorded under Section 164 of the Code of Criminal Procedure states that the victim was in a relationship with the petitioner.

The police filed charge-sheet.

In view of the age of the petitioner and in view of the child of the petitioner, 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 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) 5375 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)