

20
(AD) 25.11.2022

C.R.M. (A) 5456 of 2022

Court No.29
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kashipur** Police Station Case No.**278 of 2022** dated **08/06/2022** under Sections **376D(2)(n)/120B/506** of the Indian Penal Code and Section **6** of the Protection of Children from Sexual Offences Act.
And

In the matter of: **Md Faridul Molla alias Farid**

....petitioner.

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Soumik Ganguli

...for the State.

Petitioner prays for anticipatory bail.

The petitioner was not named in the First Information Report.

The statement of the victim recorded under Section 164 of the Code of Criminal Procedure does not name the petitioner as one of the perpetrators. There was a subsequent statement recorded under Section 161 of the Code of Criminal Procedure where the name of the petitioner surfaces.

The police filed charge sheet.

In such circumstances, we 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5456 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)