

15.12.2022
Sl.11
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5825 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No.**563 of 2022** dated **30.09.2022** under Sections **341/506/34** of the Indian Penal Code and Section **12** of POCSO Act. (POCSO Case No.173/2022).

And

In the matter of: **Sekh Afsarul**

....petitioner.

Mr. Arup Kumar Bhowmick
Md. Sontu Mia

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Ms. Sayanti Santra

...for the State.

Petitioner prays for anticipatory bail.

The petitioner is not named in the statement recorded under Section 164 of the Code of Criminal Procedure of the victim.

The police filed charge sheet.

The principal accused is in custody.

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) 5825 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)