

22.02.2022
Sl. JCB1
Court No.29
sourav
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

**C.R.M. (A) 105 of 2022
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **11.02.2022** in connection with **Sitai** P. S. Case No. **98** of **2021** dated **16.07.2021** under Sections **6/17** of the Protection of Children from Sexual Offence (POCSO) Act, 2012.

And

In the matter of: **Biparna Barman**

....petitioner.

Mr. Kalyan Kumar Chakraborty
Mr. Kashinath Bhattacharya
Mr. Benoybrata Bhowmik
Mr. Ashok Harder
Ms. Anjana Meheboob

...for the petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Biswarup Roy

...for the State.

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned advocate appearing for the State submits that the victim did not implicate the petitioner in her statement recorded under Section 164 of the Criminal Procedure Code.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the victim did not implicate the petitioner in her statement recorded under Section 164 of the Criminal Procedure Code and considering the fact that the police filed charge-sheet, 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/- 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 further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date and on further conditions the petitioner shall appear before the court below on every date fixed for hearing.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 105 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

