

13.07.2022.

Item No. 29

ap

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

C.R.M. (A) No. 340 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 filed on 07.07.2022 in connection with Dinhata Police Station Case No. 490 of 2013 dated 06.05.2013 under Sections 341/354A(i)/34 of the Indian Penal Code read with Sections 7/8 of the POCSO Act.

And

In the matter of: **Tarun Barman.** ...petitioner

Mr. Subhasish Misra,
Mr. Swarup Das. ...For the petitioner

Mr. Abhijit Sarkar,
Mr. Biswarup Roy.For the State

Application for anticipatory bail is filed on the ground that the petitioner is not the principal accused but his friend.

Counsel for the petitioner submits that his client has been arraigned as the accused number 4 in the charge-sheet. He further submits that his client did not, in fact, participate in the offence complained of.

Counsel for the State opposes the prayer for anticipatory bail.

Having considered the materials in the case diary and the fact that the co-accused persons are on bail, this Court is inclined to allow anticipatory bail to the petitioner.

It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the arresting officer upon furnishing a Bond of Rs.5,000/- on condition that the order shall remain valid for a period of two weeks within which the petitioner shall surrender before the court concerned for regular bail.

This order is subject to the conditions laid down in sub-section (2) of Section 438 of the Code of Criminal Procedure.

The Case Diary be returned.

C.R.M. (A) No. 340 of 2022 is, thus, disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Ananda Kumar Mukherjee, J.) (Rajasekhar Mantha, J.)