

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL APPELLATE JURISDICTION**

05.09.2022
Sl. No. 22
k.b. /b.r.
Crt.1

CRM(A) 433 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ghoksadanga P.S. Case No. 264 of 2022 dated 21.07.22 under Section 4 of Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: **Sujit Sarkar**

....Petitioner.

Mr. Pravas Bhattacharya

...for the Petitioner(InVideo)

Mr. Arun Kumar Sarkar
Mr. Tapan Bhattacharjee

.....for the State.

This is an application under Section 438 of the Code of Criminal Procedure for grant of Anticipatory Bail in connection with Ghoksadanga P.S. Case No. 264 of 2022 dated 21.07.22 under Section 4 of Protection of Children from Sexual Offences Act, 2012.

Learned Counsel for the petitioner submits that the name of the petitioner is not appearing in the FIR and the petitioner is in no way connected with the incident.

Learned Counsel for the petitioner further submits that the petitioner has been falsely implicated in the instant case.

Learned Counsel for the petitioner submits that the petitioner has neither taken any photograph nor has forwarded the said photograph to any person.

Learned Counsel for the petitioner submits that the petitioner is the permanent resident of West Bengal and he will cooperate with the investigation.

Learned Counsel for the State submits that as per the statement of the victim recorded under Section 164 of the Cr.P.C. the role of the petitioner has been categorically described.

Perused the Case Diary and the statement of the victim recorded under Section 164 of the Cr.P.C.

After perusing the record, we find that there are sufficient materials against the petitioner and the same will not justify for grant of anticipatory bail to the petitioner.

In view of the above, CRM(A) 433 of 2022 stands rejected.

All concerned parties shall act in terms of the copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties on compliance of necessary formalities.

(Krishna Rao J.)

(Subrata Talukdar, J.)