

CRM (A) 10 of 2023

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Dhantala Police Station Case No. 852 of 2022 dated 03.12.2022 under Sections 447/323/325/354B/506/34 of the Indian Penal Code read with Sections 8/12 of the POCSO Act.

-And-

In the matter of : **Sanjib Roy @ Buro & Ors.**

... .. Petitioners

Ms. Minoti Gomes, Advocate

... .. For the Petitioners

Mr. Saibal Bapuli, Id. APP

Mr. Sujan Chatterjee, Advocate

... ..For the State

Petitioners seek anticipatory bail.

The de facto complainant did not suffer any external injury. In her statement recorded under Section 164 of the Code of Criminal Procedure, she claims that her modesty was outraged and her parents assaulted.

At this stage, the case diary does not contain any injury report of any of the parents of the de facto complainant.

In such circumstances, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioners will report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is allowed.
CRM (A) 10 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)