

**17.01.2023**  
**Serial no. 12**  
[Dd]  
(Anticipatory Bail)  
(**Allowed**)

**CRM (A) 104 of 2023**

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Debra** Police Station Case No. **338** of **2022** dated **08.07.2022** under Sections **363, 365, 506 & 34** of the Indian Penal Code and adding Section **376(2)(n)** of the Indian Penal Code read with Section **6** of the Protection of Children from Sexual Offences Act, 2012.

**-And-**

In the matter of : **Bablu Samanta & Anr.**  
... .. **Petitioners**

*Mr. Siddhartha Sarkar,*  
*Mr. Prasad Bhattacharyya, Advocates*  
... .. *For the Petitioners*

*Mr. Binay Panda,*  
*Mr. Subham Bhakat, Advocates*  
... .. *For the State*

The principal accused was enlarged on bail by the jurisdictional Court.

The petitioners before us are the parents of the principal accused.

The statement of the victim recorded under Section 164 of the Criminal Procedure Code is one of exoneration of the principal accused. However, there is an allegation of physical relationship between the victim and the principal accused. The victim apparently is a minor.

Police filed charge sheet.

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 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) 104 of 2023 is disposed of.**

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**