

24.01.2023

27

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 328 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nazat** Police Station Case No. **221** of **2021** dated **18.09.2021** under Sections 363/365 of the Indian Penal Code with adding Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

And

In Re : Jyotimoy Jana

..... petitioner

Mr. Kallol Kumar Basu

....for the petitioner

Mr. Abhra Mukherjee

Mr. Dipankar Mahata

....for the State

Police filed charge-sheet.

The statement of the victim recorded under Section 164 of the Code of Criminal Procedure is one of exoneration of the petitioner.

In such circumstances, 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)