

16.02.2023

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 694 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Daspur** Police Station Case No. **563** of **2022** dated **20.11.2022** under Sections 363/365/34 of the Indian Penal Code and adding Section 376(2)(n) of the Indian Penal Code and Section 6 of the Protection of Children From Sexual Offences Act read with Sections 9/10 of the Prohibition of Child Marriage Act.

And

In Re : Biswanath Hazra

..... petitioner

Mr. Suman De

....for the petitioner

Mr. Neguive Ahmed

Ms. Ayantika Roy

....for the State

The victim exonerates the petitioner in her statement recorded under Section 164 of the Code of Criminal Procedure.

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 further condition that the petitioner shall meet the Investigating Officer once a month till the conclusion of the investigation 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.)