

23.02.2023
Serial no. 25
[Dd]
(Anticipatory bail)
Allowed

CRM (A) 813 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Special (POCSO) Case No. 87 of 2022** arising out of **Swarupnagar** Police Station Case No. **990** of **2022** dated **07.10.2022** under Sections **363/365** of the Indian Penal Code and Section **4** of the Protection of Children from Sexual Offences Act and Section **8** of the Prohibition of Child Marriage Act.

-And-

In the matter of : **Sadhan Biswas**

... .. Petitioner

Mr. Safdar Azam, Advocate

... .. For the Petitioner

Mr. Saibal Bapuli, Id. APP

Ms. Soumita Ganguli,

Mr. Arani Bhattacharyya, Advocates

... ..For the State

Police filed charge sheet.

The victim recorded a statement under Section 164 of the Criminal Procedure Code where she claims that she went voluntarily with the petitioner.

The petitioner is about 25 years of age.

Considering the age of the petitioner, the statement of the victim recorded under Section 164 of the Criminal Procedure Code and the fact that police filed charge sheet, we are inclined to 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/- (Rupees Ten Thousand Only), 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 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 813 of 2023 is **disposed of**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)