

29.03.2023

Serial no. 09

[Dd]

(Anticipatory Bail)

(Allowed)

CRM (A) 1181 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Dankuni** Police Station Case No. **421** of **2022** dated **02.12.2022** under Sections **447/448/323/324/354/380/504/506/34/120B** of the IPC and Sections **3/4/7/8/11/12** of POCSO Act, 2012 (G.R. case no. 418 of 2022) Charge sheet submitted under Sections 447/448/323/354/504/506/34/120B of IPC and sections 4/8/12 of POCSO Act, 2012.

-And-

In the matter of : **Debasish Paswan & Ors.**

... .. **Petitioners**

Mr. S. Mitra,

Mr. Debapriya Majumder, Advocates

... .. For the Petitioners

Ms. Zareen N. Khan,

Mr. Arup Sarkar, Advocates

... ..For the State

Mr. Mrityunjoy Chatterjee,

Mr. Samrat Paul, advocates

.. ...For the de facto complainant

Petitioner, State and the de facto complainant are represented.

Victim and the de facto complainant recorded statements under Section 164 of the Criminal Procedure Code subsequent to the order dated March 23, 2023.

Apparently, there are attempts to reconcile the disputes and differences.

In view of the statements recorded under Section 164 of the Criminal Procedure Code subsequent to the order dated March 23, 2023, 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 report before the Investigating Officer as and when called for 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) 1181 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)