

30.03.2023

45

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1353 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Electronic Complex** Police Station Case No. **03** of **2023** dated **10.01.2023** under Section 363 of the Indian Penal Code, 1860 read with Section 18 of the Protection of Children from Sexual Offences Act, 2012 read with Section 23 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

And

In Re : Sri Debajyoti Das @ Debojyoti Das & Ors.

..... petitioners

Mr. Pratick Ghosh

Mr. Siddhartha Sarkar

Mr. Prasad Bhattacharya

....for the petitioners

Mr. Neguive Ahmed

Ms. Trina Mitra

....for the State

Affidavit of service filed in Court be taken on record.

There is a proceeding pending with regard to the custody of the child.

The police complaint is one of kidnapping against the person, who is the father of the child and in respect of which, there is a proceeding pending before the Child Welfare Committee.

In such circumstances, we 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/- 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 meet the Investigating Officer as and when called for till the conclusion of the investigation and on 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)