

21.04.2023

28

Ct. No. 29

CHC

Allowed

C.R.M.(A) 1703 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with POCSO Case No.20/22 arising out of **Kotwali** Police Station Case No. **602** of **2021** dated **24.06.2021** under Sections **363/365/34** of the Indian Penal Code, 1860, presently under Sections **363/365/120B/34** of the Indian Penal Code, 1860 read with Sections **14F/ 14C** of the Foreigners Act and Section **6** of the Protection of Children from Sexual Offence Act, 2012.

And

In the matter of: Rana Roy & anr.

..... petitioners

Mr. Kushal Kumar Mukherjee,
Mr. Surajit Basu

....for the petitioners

Mr. Sujan Chatterjee

....for the State

Police filed charge-sheet without naming petitioners. Thereafter, police proceeded to file three supplementary charge-sheet where the petitioners were not arraigned as accused. In the last supplementary charge-sheet, petitioners were named as persons in whose factory the foreigners worked.

In such circumstances, considering the involvement of the petitioners in the incident, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners will 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 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.)