

25.04.2023

06

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1727 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Nabagram** Police Station Case No. **455** of **2022** dated **21.12.2022** under Section 376 of the Indian Penal Code, 1860 and Sections 4/6 of the Protection of Children from Sexual Offences Act and Sections 9/10 of the Protection of Child Marriage Act.

And

In Re : Mithu Sk.

..... petitioner

Ms. Minoti Gomes

....for the petitioner

Ms. Sreyashee Biswas

....for the State

Police filed charge-sheet.

Principal accused was granted bail by the Coordinate Bench on March 21, 2023 passed in CRM (DB) 996 of 2023.

Co-accuseds were granted anticipatory bail on April 11, 2023 passed in CRM (A) 1524 of 2023.

Claim for parity with the co-accuseds, who were enlarged on anticipatory bail is not disputed on behalf of the State.

In such circumstanes, 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 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.)

(Rai Chattopadhyay, J.)