

18.09.2023
M/L 156
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3763 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with English Bazar P. S. Case No.987 of 2023 dated 24.06.2023 under Sections 6/7 of POCSO Act.

In the matter of : Bindu Mandal

... Petitioner

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... for the petitioner

Md. Anwar Hossain,
Ms. Sreyashee Biswas

... for the State

1. Heard learned advocates for the parties.
2. The alleged incident occurred in the house of one Mamoni Sarkar at the instance of the principal accused Joy Sarkar. From the statement of the victim as recorded under Section 164 Cr.P.C., it reveals that on the fateful day, the victim was taken to the house of the present petitioner from where she and the present petitioner went to the house of Mamoni Sarkar where the alleged crime was committed by Joy Sarkar.
3. From the statements as discussed supra, we find no role of the present petitioner with regard to the alleged crime against the victim girl.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, circumstances attaining the occurrence and

substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of her arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition:

- i) The petitioner being a lady is directed to appear before the IO for the purpose of investigation as and when required from sunrise to sunset.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. Within 21 days from today petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
7. The applications being CRM(A) 3763 of 2023 is disposed of.
8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)