

CRM (A) 5985 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 138 of 2022 dated 08.04.2022 under Sections 363/365/120B of the Indian Penal Code read with Section 6 of the POCSO Act.

-And-

In the matter of : **Paban Mandal & Ors.**

... .. Petitioners

Ms. Sujata Das, Advocate

... .. For the Petitioners

Mr. Sujan Chatterjee, Advocate

... ..For the State

Petitioners seek anticipatory bail.

Police filed charge-sheet.

The principal accused is in custody.

The victim in her statement recorded under Section 164 of the Code of Criminal Procedure, does not implicate any of the petitioners.

In such circumstances, 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 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) 5985 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)