

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

27.02.2023.
149.
as
(Allowed).

C.R.M. (A) 99 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Mekhliganj P. S. Case No.360 of 2022 dated 30.10.2022 under Sections 313/506/34 of the Indian Penal Code read with Sections 6/17 of the POCSO Act.

In the matter of : Sushil Roy & Ors.

... Petitioners.

Ms. Madhuushri Dutta.

...for the Petitioners.

Mr. Aditi Shankar Chakraborty,
Mr. Kallol Nag.

.....for the State.

Petitioner is the principal accused. There is no medical evidence with regard to abortion of the minor.

Keeping in mind the complicity of the petitioner in the crime, we are of the opinion custodial interrogation of the petitioner for progress of investigation is not necessary and he may be enlarged on anticipatory bail.

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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the

petitioner shall appear before the trial court and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)