

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

06.03.2023.
27/tkm

C.R.M. (A) 108 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotwali P.S case no. 617 of 2022 dated 12.9.2022 under sections 363/365 IPC read with section 4 of the POCSO Act

and

Allowed

In Re : Ananda Sarkar

... petitioner

Mr. Biswajit Das

Mr. S Guha Roy

..... for the petitioner

Mr. A S Chakraborty, ld. APP

..... for the State

Victim is present in court.

Learned lawyer for the petitioner submits he is not the principal accused. He has been falsely implicated in the instant case.

Learned lawyer for the State produces the case diary.

We have considered the materials on record.

Keeping in mind the extent of complicity of the petitioner in the alleged crime we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted pre-arrest 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 also subject to the

conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

Petitioner shall appear before the court below and pray for regular bail within four weeks from date.

The application being CRM (A) 108 of 2023 is disposed of.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)