

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

06.03.2023.
29/tkm

C.R.M. (A) 159 of 2023

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Tufanganj P.S case no. 83 of 2023 dated 3.2.2023 under sections 363/511 IPC read with sections 8/12 of the POCSO Act

and

Allowed

In Re : Ariful Mandal

... petitioner

Md. Sabir Ahmed
Mr. H Saha Podder
Ms. M Das

..... for the petitioner

Mr. Ujjwal Luksom
Ms. N Das

..... for the State

It is submitted on behalf of the petitioner that he has been falsely implicated in the instant case. He prays for bail.

Learned lawyer for the State opposes the bail prayer.

We have considered the statement of the minor. In view of the nature of accusation we are of the opinion though custodial interrogation of the petitioner is not necessary, his movement requires to be restricted in order to prevent commission of similar offence in future.

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 and on further condition that the

petitioner while on bail shall not enter the jurisdiction of Tufanganj P.S. except for the purpose of investigation and attending court proceeding and shall report to the concerned officer in charge within whose jurisdiction he shall reside while on bail once in a week until further orders and shall provide the address where he shall presently reside to the investigating officer as well as court below.

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

The application being CRM (A) 159 of 2023 is disposed of.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)