

22.01.2024
Item No.26
Ct. No. 29
CHC
Allowed

C.R.M.(A) 153 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sankrail** Police Station Case No. **1140** of **2022** dated **07.11.2022** under Sections **506/34** of the Indian Penal Code, 1860 and Section **8** of the POCSO Act, 2012.

And

In the matter of : Aji Alam Mansuri @ Azi Alam Munsuri
..... petitioner

Mr. Shekhar Barman,
Mr. Bivash Banerjee,
Mr. Rohit Prasad
....for the petitioner

Mr. Debasish Roy, Ld. P.P.
Mr. Navanil De
....for the State

Affidavit-of-service filed in Court be taken on record.

None appears for the victim.

Petitioner prays for anticipatory bail.

Apparently, the petitioner shares the same quarter as that of the victim.

Victim, apparently is a minor and she implicates the petitioner in an incident of bad touch.

Possibility of the petitioner being falsely implicated also remains.

In such circumstances, we deem it appropriate to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), 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 will report before the Investigating Officer once in a week till the conclusion of investigation and on condition that the petitioner will stay outside the jurisdiction of the local police station till the conclusion of the trial and petitioner will inform the jurisdictional Court as also the Investigating Officer of his new residence and that petitioner will not enter into the jurisdiction of local police station save and except for the purpose of meeting the Investigating Officer and for attending Court and on further condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 153 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)