

30.01.2024

DL.58

Court No.29

(AD)

(Allowed)

C.R.M. (A) 277 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gangarampur** Police Station Case No. **530 of 2023** dated **19.11.2023** under Sections **341/323/427/506** of the Indian Penal Code, 1860 read with Section **8** of Protection of Children from Sexual Offences Act, 2012 (Special Case No.40 of 2023).

And

In the matter of: **Kanta Roy**

....petitioner.

Ms. Jeenia Rudra

...for the petitioner.

Mr. Ashok Das

...for the State.

Apparently, an altercation and an incident of assault took place due to cattle entering into cultivated land. The minor recorded statement under Section 164 of the Code of Criminal Procedure which alludes to such circumstances and also claims that she was subjected to abuses and bad touch.

There remains an issue of exaggeration.

Police filed charge sheet.

In such circumstances, we 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 277 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)