

06.02.2024

DL-7

Court No.29

(AD)

(Allowed)

C.R.M. (A) 367 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Keshiary** Police Station Case No. **243 of 2023** dated **21.11.2023** under Sections **363/365/376(2)(n)/323** of the Indian Penal Code, 1860 read with **6(1)/17** of Protection of Children from Sexual Offences Act and Sections **9/10** of Prohibition of Child Marriage Act, (POCSO Case No.161 of 2023).

And

In the matter of: **Jhuma Ghosh**

....petitioner.

Mr. Navanil De

Mr. Srinjay Ghosh

...for the petitioner.

Mr. Ranabir Roychowdhury

Mr. Palash Chandra Majhi

...for the State.

Affidavit of service filed in Court be taken on record.

None appears for the victim.

Petitioner before us is the mother of the principal accused.

Coordinate Bench granted bail to the principal accused on the finding that there was a love affair between the victim and the principal accused.

Police filed charge sheet.

In view of the principal accused being granted bail by the Coordinate Bench and in view of the police filing charge sheet and in view of the gender of the petitioner, 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) 367 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)