

26.02.2024

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Ct. No. 29

S.D.

Allowed

C.R.M.(A) 633 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **AJC Bose B. Garden** Police Station Case No. **249 of 2023** dated **07.11.2023** under Section **506** of the Indian Penal Code read with Sections **6/17/21** of the Protection of Children from Sexual Offences Act.

And

In Re : **Lal Jhari Debi @ Laljhari Devi & Ors.**

..... petitioners

Mr. Kallol Mondal

Mr. Krishan Ray

Mr. Souvik Das

Adv. Anamitra Banerjee

...for the petitioners

Mr. Bibaswan Bhattacharya

...for the State

Police filed a charge sheet initially discharging the petitioner nos. 1 and 2 as accused. Thereafter on further investigation, petitioners were named in the supplementary charge sheet as persons who intimidated the victim.

Principal accused was granted bail by the High Court on February 19, 2024 passed in C.R.M. (DB) 464 of 2024. While granting bail, the Coordinate Bench took into account the materials in the case diary and that the claim that there was a relationship between the victim and principal accused and that the principal accused married a different lady.

In view of such circumstances, and in view of the fact that police filed charge sheet, we do not find necessity of placing any of the petitioners in custody at this stage.

Consequently, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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. The petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)