

14.03.2024

Serial no. 12

Anticipatory Bail

[Allowed]

Dd

CRM (A) 907 of 2024

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Taherpur Police Station Case No. 29 of 2024** dated **January 10, 2024** under Sections **323/325** of the Indian Penal Code, 1860 and Section **12** of Protection of Children from Sexual Offences Act, 2012 pending before **Ld. Additional District and Sessions Judge, Special Court(under POCSO Act), Ranaghat, Nadia***

-And-

In the matter of : **Fulan Mandal & Anr.**

... .. Petitioners

Ms. Sananda Bhattacharyya, Advocate

... .. For the Petitioners

Mr. Soumik Ganguli, Advocate

... ..For the State

Apparently, there was an altercation and an incident of pushing and shoving.

Victim recorded a statement under Section 164 of the Criminal Procedure Code.

It is debatable, on the basis of such statement as to whether provisions of the Protection of Children from Sexual Offences Act, 2012 are attracted or not.

Principal accused was granted bail by the jurisdictional Court.

In such circumstances, 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/- (Rupees Ten Thousand Only) 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 and on further condition that the petitioner no. 2 shall report before the Investigating Officer once in a month till the conclusion of the investigation and petitioner no. 1 shall cooperate with the investigation till its completion and on further condition that 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.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 907 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)