

20.03.2024
Item No.24
Ct. No. 29
CHC
Allowed

C.R.M.(A) 978 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Parnasree** Police Station Case No. **31** of **2024** dated **23.01.2024** under Sections **34/509/354/354D** of the Indian Penal Code read with Sections **8** and **12** of the Protection of Child from Sexual Offences Act, 2012 now pending before the **Learned Additional Sessions' Judge, 2nd Court, (under the POCSO Act), at Alipore.**

And

In the matter of : Rahul Banerjee & anr.

..... petitioners

Mr. Abhra Mukherjee,
Mr. Swakshar Kumar Mondal
....for the petitioners

Mr. Sanjoy Bardhan,
Mr. Sk. Arif Hossain
....for the State

Petitioners pray for anticipatory bail.

Apparently, there is a previous police complaint against the parents of the victim regarding defalcation of money.

Victim recorded her statement under Section 164 of the Criminal Procedure Code which complains of forceful bad touch.

Materials in the Case Diary do not suggest requirement of putting the petitioners in custody at this stage.

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 petitioners will report before the Investigating Officer once in a fortnight till the conclusion of investigation and on 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.

This application for anticipatory bail is, thus, allowed.

CRM(A) 978 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)