

25.01.2024
Item No.57
Ct. No. 29
PG/KS
Allowed

C.R.M.(A) 5088 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No.**1034** of **2023** dated **27.09.2023** under Sections **12/17** of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of : **Mukesh Pasman @ Paswan**
& Ors.

.....Petitioners.

Ms. Minoti Gomes

....for the Petitioners.

Mr. Debashis Roy
Mr. Antarikhya Basu

....for the State.

Victim in a statement recorded under Section 164 of the Code of Criminal Procedure ascribes a role to the petitioners before us.

She said that vermilion was put on the forehead of the victim by the petitioner no.1.

The statement of the victim may be seen in the context of Sections 12 / 17 of the Protection of Children from Sexual Offences Act, 2012, under which, the police are proceeding as against the petitioners.

Considering the nature of the incident and the involvement of the petitioners therein as transpiring from the

statement of the victim, 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 week 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.

C.R.M.(A) 5088 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)