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Allowed

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M. (A) No. 408 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Ghoksadanga Police Station Case No. 193 of 2024 dated 26.04.2024 under Sections 363/365/109 of the Indian Penal Code read with Section 6 of the POCSO Act .

And

In Re : Subha Gope petitioner

Mr. Hillol Saha Podder
Ms. Mousumi Das

.....for the petitioner

Mr. Abhijit Sarkar
Ms. Namrata Das

....for the State

1. Learned Counsel for the petitioner submits victim and co-accused had a romantic relationship. He is a friend of the principal accused. He has been falsely implicated. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the bail prayer.

3. In spite of notice nobody appears for the victim.

4. We have considered the materials on record. Petitioner is not the principal accused. It is alleged there is romantic relationship between the principal accused and the minor victim. She has already been recovered. Keeping in mind the extent of complicity of the petitioner in the crime, we are inclined to grant anticipatory bail to him.

5. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, 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 condition that he shall appear before the court below and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail is, thus, allowed.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)