

3.12.2019

No.79

P

CRM 12214 of 2019

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **19.12.2019** in connection with **Maynaguri** P.S. Case No. **260 of 2019** dated **08.08.2019** under Sections **363/365** of the Indian Penal Code and Section 4 of the POCSO Act.

And

In Re: **Bikash Barman**

... .. Petitioner.

Mr. Anirban Banerjee,
Ms. Madhushri Dutta Majumder

... for the petitioner.

Mr. Subrato Roy

... .. for the State.

It is submitted on behalf of the petitioner that there was a love affair between the petitioner and the victim.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail and submits that the victim is a minor girl.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the exonerative statement made by the victim girl and in view of the fact that the victim girl has already been recovered, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 condition that the petitioner shall

appear before the court below and pray for regular bail within a period of four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)