

08.12.2020
Sl. No.37
akd
[ALLOWED]

C. R. M. 8960 of 2020 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 959 of 2020 dated 24.09.2020 under Sections 448/417/376 of the Indian Penal Code read with Section 4 of the POCSO Act.

And

In Re: **Mansur Sk. @ Imrajul Sk.**

... .. Petitioner

Mr. Mrityunjoy Chatterjee .. Advocate

Md. Golam Nure Imrohi .. Advocate

... .. for the petitioner

Mr. Goutam Wilson .. Advocate

... .. for the State

It is submitted on behalf of the petitioner that there was a love affair between the parties and he has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record and bearing in mind the nature of allegations in the light of the aforesaid submission made on behalf of the petitioner, we are of the opinion though custodial interrogation of the accused/petitioner may not be necessary in the facts of the present case, his movement requires to be restricted in order to instil confidence in the mind of the de-facto complainant.

Accordingly, we direct that in the event of arrest, the accused/petitioner, namely **Mansur Sk. @ Imrajul Sk.**, 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 further condition that the petitioner, while on bail, shall not enter the jurisdiction of

Berhampore Police Station until further orders except for the purpose of investigation and/or for attending court proceedings and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the concerned police station within whose jurisdiction he shall presently reside once in a week until further orders.

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

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)