

02.12.2020

34

Suman/AN

Ct.11

CRM 9674 of 2020

(Via Video Conference)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Nalhati Police Station Case N. 312 of 2019 dated 08.09.2019 under Sections 363/365/120B of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act 2012.

In the matter of :- Ramesh Let

Mr. Angshuman Chakraborty

Mr. S. S. Saha

..for the petitioner

Mr. Narayan Prasad Agarwala

Mr. Ahok Das

...for the State

The petitioner undertakes to appropriately stamp the petition as per the Rules within one month of resumption of normal functioning of the Court. The petition is taken up through video conference on the basis of such undertaking.

Mr. Chakraborty, learned advocate for the petitioner submits that the petitioner and minor girl have already got married. Therefore, learned advocate for the petitioner submits that the application for anticipatory bail should be allowed.

Learned advocate for the State opposes the prayer for anticipatory bail and produces the case diary. He further contends that the victim girl is a minor, therefore, the case falls under POCSO Act. Till date she has not been recovered. Therefore, the Court should not entertain this application for anticipatory bail.

Considering the submission advanced by the learned advocates and after perusing the case diary, in our considered view the application for anticipatory bail should be rejected.

Accordingly, the application for anticipatory bail is rejected.

(Samapti Chatterjee, J.)

(Kausik Chanda, J)