

259 13.04.2021
rkd Ct. No.28
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C.R.M. 824 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Daulatabad** P.S. Case No. **247 of 2020** dated **26/11/2020** under Section 4 of the POCSO Act.

And

In the matter of: Masud Abiala

....petitioner.

Mr. Golam Mustafa,
Mr. Samirul Sardar

...for the petitioner.

Mr. Sandip Chakraborty

...for the State.

Learned counsel for the petitioner submits that the petitioner had a relationship with the victim and consequently the parents disagreed and the case has been registered under the POCSO Act.

Learned counsel appearing on behalf of the State submits that the victim is about 17 year and 8 months. He draws the attention of the Court to the statement of the victim recorded under Section 164 Cr.P.C. as also the medical report.

We have perused the materials on record. Having regard to the same, we direct the petitioner to appear/surrender before the learned special court and pray for regular bail within a period of four weeks from date. The investigating agency is directed not to arrest the petitioner for the period of four weeks from date. In case the petitioner appears/surrenders before the learned special court, the learned special court will be at liberty to consider the bail application in accordance with law without being influenced

by any observations made by this Court.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)