

57. 24.09.2021

Ct.32

Tanmoy

Rejected

C.R.M. 3090 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **05/04/2021** in connection with **POCSO Case No. 12 of 2021** arising out of **Manikchak Police Station Case No. 18 of 2021** dated **01/01/2021** under Section **363** of the Indian Penal Code read with Section **6** of the POCSO Act, 2012.

And

In the matter of: - **Anwar Sk @ Sekh Anbar Ali @ Sk Anbar Ali**

...petitioner.

Mr. Avik Ghatak,
Mr. Salman Hasan

...for the petitioner.

Mr. S.S. Imam,
Mr. Arabinda Manna

...for the State.

The case was started under Section 363 of the Indian Penal Code on the allegation of kidnapping. The victim was 15 years old at the time of the incident. Section 6 of the Protection of Children from Sexual Offences Act, 2012 has been added.

The petitioner says that there was a love affair between the petitioner, who is a teacher and the victim girl. The petitioner and the victim girl got married. The petitioner has been falsely implicated.

We have seen the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. She categorically stated that she was forcibly taken by the petitioner and they were purportedly married. The petitioner established physical relationship with her forcibly.

In view of the direct implication of the petitioner and the serious nature of the allegation, also keeping in view that charge-sheet is yet to be filed, we are not inclined to entertain the petitioner's prayer for anticipatory bail.

Accordingly, the application for anticipatory bail being C.R.M. 3090 of 2021 is **dismissed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)