

CRM 4555 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Gurguripal Police Station** Case No. **84 of 2021** dated **18.05.2021** under Sections **376/506** of the Indian Penal Code and Section 6 of the POCSO Act.

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In the matter of : Natu Charan Mahata

.... Petitioner.

Mr. S. Das Mahapatra,

... For the Petitioner.

Mr. S. Bhattacharyya,
Mr. N. Dhali

... For the State.

The allegation is under Sections 376/506 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act.

The petitioner says that he has an affair with the 17 years old victim girl. The petitioner is about 23 years old. The victim's mother has filed this complaint as she apparently does not approve the relationship between the victim and the petitioner.

We have seen the statement of the victim girl in the case diary. Her statement corroborates the case of the petitioner. She clearly says that their friendship matured into an affair.

Considering the nature of the allegation and the material in the case diary, we are of the opinion that immediate custodial interrogation of the petitioner may not be necessary so long as he cooperates with the Investigating Officer.

Accordingly, in the event of arrest, the petitioner, namely, **Natu Charan Mahata** shall be released on bail upon furnishing a bond of Rs. 10,000/-, with two sureties of like amount each, one of

whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438 (2) of the Code of Criminal Procedure until further orders.

In the event the petitioner fails to adhere to any of the conditions stipulated in Section 438 (2) of the Code of Criminal Procedure, the learned Court below will be at liberty to cancel the anticipatory bail without further reference to this Court.

The application for anticipatory bail being CRM 4555 of 2021 is, thus, allowed.

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

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)