

C.R.M. 6862 of 2021

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Khargram P.S. Case No.230 / 2021 dated 13.07.2021 under sections 376/417/323/34 of the Indian Penal Code read with section 4 of POCSO Act.

And

In the matter of : Yousuf Sk. @ Mimo

...Petitioner.

Mr. Joy Chakraborty,
Mr. Partha Sarthi Ghosh,
Mr. Sandip Dinda

.... for petitioner.

Mr. Narayan Prasad Agarwala,
Mr. Sandip Kundu

... for State.

Upon considering that the complaint was made under the relevant section of the POCSO Act after six years from the date of occurrence of the alleged offence, we are inclined to grant anticipatory bail to the petitioner. We also take into account the fact that both the victim girl as well as the petitioner are now 21 and 27 years of age respectively.

In the event of arrest, the petitioner shall be released on anticipatory bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of like amount, one of whom shall be of local resident to the satisfaction of the Arresting Officer. The

petitioner shall be subject to the conditions of section 438(2) of the Code of Criminal Procedure, 1973 and shall make himself available for questioning before the Arresting Officer, as and when required.

C.R.M. 6862 of 2021 is accordingly allowed in terms of the above.

(Moushumi Bhattacharya , J.)

(Aniruddha Roy, J.)