

23.12.2021
SL No.35
Court No.1
(gc)

***Circuit Bench of Calcutta High Court
At Jalpaiguri***

**CRM 1261 of 2021
(Via video Conference)**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Kotwali Police Station Case No.207/2021 dated 21.04.2021 under Sections 363/365/34 of the Indian Penal Code read with Section 4 of POCSO Act.

And

In the matter of : **Rajib Barman**

- Petitioner.

Mr. Jaydeep Kanta Bhowmik

... For the Petitioner.

Mr. Abhijit Sarkar,

Mr. S.S. Sikdar,

... For the State.

The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated. It is submitted that co-accused persons are already on bail.

The learned Counsel for the State, however, opposes the prayer for anticipatory bail and refers to the medical examination report and the statement of the victim recorded under Section 164 of the Cr.P.C.

Having considered the materials available in the case diary and the nature and extent of involvement of the petitioner in the commission of alleged offence, we permit the petitioner to surrender before the Trial Court within two weeks from date. Till such time, the petitioner shall not be arrested subject to the

petitioner being made available to the I.O. once in a week and cooperate with the investigation.

The application for anticipatory bail, being CRM No.1261 of 2021 is, thus, disposed of.

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

(Biswajit Basu, J.)

(Soumen Sen, J.)