

**01.03.2022**

Sl. 10  
Court No.29  
suvayan  
(Allowed)

**CRM (A) 990 of 2022  
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Haringhata** P.S. Case No. **384 of 2021** dated **20/11/2021** under Sections **363/365/34** of the Indian Penal Code and adding Section **6** of POCSO Act.

And

In the matter of: Raju Debnath

....petitioner.

Ms. Sananda Bhattacharyya

...for the petitioner.

Ms. Zareen N. Khan

Mr. Ashok Das

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. The de facto complainant left with the petitioner voluntarily.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Criminal Procedure Code and the materials in the case diary.

Upon perusing the statement recorded under Section 164 of the Criminal Procedure Code of the victim and particularly the statement suggesting that the petitioner made over the victim to a lady, a clarification was sought from the State with regard thereto.

Learned Advocate appearing for the State submits that the police are yet to locate any lady to whom the victim was made over as stated in the statement recorded under Section 164 of the Criminal Procedure Code. She voluntarily returned to her father's house.

Considering the statement of the victim recorded under Section 164 of the Criminal Procedure Code and materials in the case diary and considering the involvement of the petitioner in the incident and considering his age, we grant anticipatory bail to the petitioner.

The Investigating Officer is present in Court, his presence is dispensed with.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall meet the Investigating Officer once a fortnight till the conclusion of the investigation and that the petitioner shall appear before the jurisdictional Court and pray for regular bail within four weeks from date.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

**CRM (A) 990 of 2022** is, thus, disposed of.

**(Debangsu Basak, J.)**

**(Bibhas Ranjan De, J.)**