

15.03.2022

16

Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 1227 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Karandighi** Police Station Case No. **50** of **2022** dated **25.01.2022** under Section 4 of the Protection of Children from Sexual Offences Act.

And

In Re : Haider Ali @ Sk. Haidar Ali.

..... petitioner

Mr. Jisan Iqubal Hossain

....for the petitioner

Mr. Pravash Bhattacharya

Mr. Nirupam Dhali

....for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated.

Learned advocate appearing for the State submits that, the victim is 15 years of age. He refers to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure (Cr.P.C.) and the medical report.

In her 164 Cr.P.C. statement, the victim states that, she voluntarily went to her maternal aunty's house and that her mother filed the police complaint wrongly. The injury report also does not bear any sexual assault.

Considering the 164 Cr.P.C. statement of the victim and considering the medical report of the victim, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner shall appear before the jurisdictional court on every date fixed and pray for regular bail within a period of four weeks from date.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)