

2 20.04.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 1696 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** P.S. Case No.**110 of 2022** dated **26/03/2022** under Sections **376(3)/120B** of the Indian Penal Code and added Section **6** of the POCSO Act.

And

In the matter of: Momin Sk @ Momin Hosen

....petitioner.

Mr. Kallol Mondal
Mr. Amanul Islam
Mr. Krishan Ray
Mr. Sourav Mukherjee
Mr. Souvik Das
Mr. Anamitra Banerjee

...for the petitioner.

Mr. Shiladitya Banerjee

... for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that there was a relationship between the petitioner and the victim. The father of the victim took away the victim from the place of the alleged incident. He refers to the photographs annexed to the application showing that there was a relationship between the petitioner and the victim.

Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and to the medical report of the victim.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the photographs annexed to the petition 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/- (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 will report before the Investigating Officer once a week till the conclusion of the investigation and on condition that the petitioner shall appear every day before the jurisdictional Court on and from the date fixed for appearance of the accused and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 1696 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)