

42 17.05.2022
(AD) Court No.29
(Allowed)

C.R.M. (A) 2233 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Shyampur** P.S. Case No.**170 of 2018** dated **16/04/2018** under Sections **363/365/366/376** of the Indian Penal Code, 1860 read with Section **6** of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

And

In the matter of: Sahabuddin Molla @ Safuddin Molla
....petitioner.

Ms. Juin Dutta Chakraborty
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP
Mr. Partha Pratim Das
Ms. Manasi Roy
...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner and the victim are now married and that there is a male child born out of such marriage. She refers to the birth certificate of the male child.

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.

Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and considering the fact that there is a male child born to the petitioner and the victim, we deem it appropriate to 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 as and when called for 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) 2233 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)