

08.07.2022
Serial no.50
Aloke

CRM (A) 3279 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Narendrapur Police Station Case No. 1330 of 2019 dated 06.10.2019 under Sections 363/365 of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of : **Surajit Das**

... ... Petitioner

Mr. Aniket Mitra, Advocate

Mr. Sk. Sahajahan Ali, Advocate

... ... For the Petitioner

Mr. Md. Anwar Hossain, Advocate

Ms. Manisha Sharma, Advocate

Mr. M.F.A. Begg, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the victim came to the petitioner voluntarily and they were married. The police filed charge-sheet and, therefore custodial interrogation of the petitioner is not required.

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

In her statement, the victim acknowledges that she went voluntarily and married the petitioner.

The age of the petitioner is 23 years.

Taking into consideration such age of the petitioner and considering the fact that the police filed charge-sheet and the other factors as noted above, we are inclined 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 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 on every date 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.

Prayer for anticipatory bail of the petitioner is allowed.

CRM (A) 3279 of 2022 is disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)