

02.08.2022  
Serial no.32  
Aloke

**CRM (A) 3675 of 2022**

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 201 of 2022 dated 09.03.2022 under Sections 363/365/34 of the Indian Penal Code and Section 6 of the POCSO Act.

-And-

In the matter of : **Shyamal Halder**

... ... Petitioner

Mr. Sayan De, Advocate

Mr. Kaustuv Shome, Advocate

Mr. Sayan Kanjilal, Advocate

... ... For the Petitioner

Mr. Md. Anowar Hossain, Advocate

Ms. Sreyashee Biswas, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. Other co-accused are on bail.

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 and the statement of the father of the victim recorded under Section 161 of the Code of Criminal Procedure.

The victim claims herself to be 17 years of age. She claims in her statement recorded under Section 164 of the Code of Criminal Procedure that she was forcefully married by the brother of the petitioner. Similar claim is made by the father of the victim.

Considering the gravity of the offence and the involvement of the petitioner therein, the age of the petitioner and the fact that the police filed charge-sheet, 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) 3675 of 2022 is disposed of.

**(Debangsu Basak, J.)**

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