

05.09.2022

Sl.67

Court No.29

(AD)

(Allowed)

C.R.M. (A) 4247 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Thanarpara** Police Station Case No. **164 of 2022** dated **16.08.2022** under Sections **376/511** of Indian Penal Code and added Section **12** of POCSO Act.

And

In the matter of: **Lenin Mondal**

....petitioner.

Ms. Minoti Gomes
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the petitioner.

Mr. Atif Ahmed Siddiqui

...for the State.

Petitioner prays for anticipatory bail.

The victim is 14 years of age.

She recorded a statement under Section 164 of the Code of Criminal Procedure.

The victim refused to undergo any medical examination.

In such circumstances, 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 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on 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 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4247 of 2022 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)