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(AD) 14.09.2022

C.R.M. (A) 4331 of 2022

Court No.29
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Mothabari** Police Station Case No. **115 of 2017** dated **24/08/2017** under Section **363** of the Indian Penal Code with added Section **4** of the Protection of Children from Sexual Offences Act, 2012 corresponding with G.R. Case No.3751/2017.

And

In the matter of: **Sekbar Sk @ Hamedur Sk**

....petitioner.

Md. Wasim Akram

...for the petitioner.

Mr. Tanmay Kumar Ghosh, Ld. Sr. Government Advocate
Ms. Sonali Bhar

...for the State.

Petitioner prays for anticipatory bail.

Report as called for by the order dated September 8, 2022
filed in Court be taken on record.

The police case is of August 24, 2017.

The report dated September 11, 2022 speaks of a statement of the de facto complainant recorded under Section 161 of the Code of Criminal Procedure where she states that she married the petitioner in 2019. She accepts that she is living with her husband although the husband is out of station for a work.

The police filed charge sheet.

In view of the statement of the de facto complainant recorded under Section 161 of the Code of Criminal Procedure on September 10, 2022 and in view of the report dated September 11, 2022 and in view of the fact that the police filed charge sheet, 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 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.

The prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 4331 of 2022 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)