

14.09.2022

Sl.14

Court No.29

(AD)

(Rejected)

C.R.M. (A) 4383 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandra Pur** Police Station Case No.**520 of 2022** dated **28/06/2022** under Section **342** of the Indian Penal Code, 1860 read with **6** of the POCSO Act, 2012 corresponding to Special Case No.52/2022.

And

In the matter of: **Kowsar Alam @ Kausar Ali @ Kowsar Ali**
....petitioner.

Ms. Minoti Gomes

...for the petitioner.

Mr. Abhra Mukherjee
Ms. Manisha Sharma

...for the State.

Mr. Partha Sarathi Das

... for the de facto complainant.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the family of the de facto complainant and the family of the petitioner agreed that the de facto complainant will be given marriage with the petitioner after she attains the age of adulthood.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

The victim is 14 years of age.

The victim implicates the petitioner in the incident in the statement recorded under Section 164 of the Code of Criminal Procedure.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

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

C.R.M. (A) 4383 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)