

**C.R.M. (A) 5237 of 2022**

**16.11.2022**  
Sl.34  
Court No.29  
(AD)  
(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with POCSO Case No.26 of 2022 arising out of **Kharagpur Local** Police Station Case No.**225 of 2022** dated **28/03/2022** under Sections **363/365** of the Indian Penal Code adding Section **376(3)** of the Indian Penal Code read with Section **6** of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Akbar Mallick**

....petitioner.

Mr. Mrityunjoy Chatterjee  
Mr. R. R. Kumar  
Mr. D. Majumder

... for the petitioner.

Md. Anwar Hossain  
Mr. A.E. Molla

... for the State.

Petitioner prays for anticipatory bail.

The statement of the victim who is a minor implicates the petitioner in the offence of penetrative sexual assault. It also implicates the petitioner in her abduction and kidnapping.

The medical evidence corroborates the claim of the victim.

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) 5237 of 2022** is dismissed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**