

22.11.2022

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Ct. No. 29

KAUSHIK

Allowed

C.R.M.(A) 5335 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No. **787** of **2022** dated **04.09.2022** under Sections 354/363/366/511 of the Indian Penal Code, 1860 and Sections 8/12 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : Soumen Sing @ Soumen Singha

..... petitioners

Mr. Achyut Basu

Ms. Punam Basu

Mr. Somen Bose

....for the petitioners

Ms. Zareen N. Khan

Md. Kutubuddin

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner and the de-facto complainant were known to each other.

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 (Cr.P.C.).

The victim is about 13 years of age.

The materials in the case diary suggest that the petitioner poured 'vermilion' (sindoor) on the forehead of the victim. The petitioner is aged about 20 years and is enrolled in the course of

Diploma in Elementary Education with the West Bengal Board of Primary Education.

Considering the age of the petitioner and considering the fact that the police filed charge-sheet and considering the fact that the petitioner is a student, we are minded to grant him anticipatory bail. However, the petitioner will not enter into the jurisdiction of the police station, where the victim reside, save and except attending the Court proceedings. The petitioner will also not come near the victim or attempt to do so, in any manner whatsoever.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

