

22.02.2023
Serial no. 21
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 768 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **C. Special Case no. 33 of 2021** arising out of **Raninagar** Police Station Case No. **304** of **2021** dated **25.06.2021** under Sections **363/365** of the Indian Penal Code and adding Section **4** of Protection of Children from Sexual Offences Act, 2012.

-And-

In the matter of : **Chiranjit Mondal @ Chiranjit Mandal**
... .. Petitioner

Mr. Kingshuk Mondal, Advocate
... .. *For the Petitioner*

Mr. Koushik Kundu, Advocate
... ..*For the State*

Mr. Pradip Kundu, Advocate
... ..*For the de facto complainant*

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that a marriage between the victim and the petitioner was solemnized on January 28, 2023. The victim and the petitioner are presently living as husband and wife.

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 Criminal Procedure Code.

The victim is represented in Court.

Both the petitioner and the victim are presently in Court.

Considering the age of the petitioner and considering the fact that taking the petitioner into custody at this stage,

particularly when the police filed charge sheet, may negatively impact the petitioner psychologically due to his age, we are inclined to 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further 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.

Prayer for anticipatory bail of the petitioner is **allowed**.

CRM (A) 768 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)