

14.03.2023

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Ct. No. 29

CHC

Allowed

C.R.M.(A) 939 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Lalgola** Police Station Case No. **512 of 2022** dated **29.12.2022** under Sections **363/365/376** of the Indian Penal Code and Section 6 of POCSO Act.

And

In the matter of: Golam Kibriya @ Suman Sk.

..... petitioner

Mr. Asim Kr. Chakraborti

....for the petitioner

Mr. Bidyut Kr. Roy,

Ms. Rita Datta

....for the State

None appears for the de facto complainant.

The statement of the victim recorded under Section 164 of the Criminal Procedure Code states that, the victim left her house voluntarily.

She also claims that, her mother as the de facto complainant lodged the police complaint on a misunderstanding.

Considering such statement of the victim recorded under Section 164 of the Criminal Procedure Code, we deem it appropriate 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 report before the Investigating Officer once in a fortnight till the conclusion of the investigation 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.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)