

29.03.2023

Sl.17

Court No.29

(AD)

(Allowed)

C.R.M. (A) 1289 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Karimpur** Police Station Case No.**138 of 2022** dated **15.06.2022** under Sections **447/363/511/506/34** of the Indian Penal Code and Section **04** of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Soumen Halder**

....petitioner.

Mr. Angshuman Chakraborty

... for the petitioner.

Ms. Sreeparna Das

...for the State.

Petitioner prays for anticipatory bail.

Apparently, the petitioner before us is 21 years of age.

There is a statement recorded under Section 164 of the Code of Criminal Procedure of the victim.

Other co-accused was enlarged on anticipatory bail by the order dated July 22, 2022 passed in CRM (A) 3500 of 2022.

Apparently, there was a relationship between the petitioner and the victim.

Considering the age of the petitioner, allowing the police to take the petitioner in custody may affect the mental health of the petitioner.

In such circumstances, we 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 subject

to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation 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.

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

C.R.M. (A) 1289 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)