

31.03.2023

Sl.17
Court No.29
(AD)
(Allowed)

C.R.M. (A) 1374 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Daspur** Police Station Case No.**563 of 2022** dated **20.11.2022** under Sections **363/365/34** of the Indian Penal Code and adding Section **376(2)** of the Indian Penal code and Section **6** of the Protection of Children from Sexual Offences Act read with Section **9/10** of the Prohibition of Child Marriage Act. Giving rise to POCSO 82/2022.

And

In the matter of: **Surajit Hazra @ Biltu**

....petitioner.

Mr. Suman De

... for the petitioner.

Mr. Avishek Sinha

...for the State.

Petitioner prays for anticipatory bail.

Victim recorded her statement under Section 164 of the Code of Criminal Procedure claiming that she went with the petitioner to Bhopal, lived there in a rented house and thereafter came back to her paternal home on the police case being filed.

The petitioner is 24 years of age.

There is a medical examination report of the victim.

Considering the age of the petitioner and considering the possibility of negative impact on the psychology of the petitioner given his age by putting him into custody, 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 fortnight 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) 1374 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)