

03.04.2023

Sl.29

Court No.29

(AD)

(Rejected)

C.R.M. (A) 1411 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tamluk** Police Station Case No.**670 of 2022** dated **01.08.2022** under Sections **363/366** of the Indian Penal Code, 1860 (G.R. Case No.2293 of 2022) and Sections **6/12** of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

And

In the matter of: **Rabindranath Chakraborty @ Rabi Chakraborty**

....petitioner.

Mr. Juin Dutta Chakraborty

... for the petitioner
(Through Video Conference)

Mr. Arijit Ganguly

Mr. Avik Ghatak

...for the State.

Petitioner prays for anticipatory bail.

The victim is 15 years of age.

Victim recorded her statement under Section 164 of the Code of Criminal Procedure where she admits that there was a physical relationship between her and the petitioner.

Victim underwent a medical examination where the victim stated before the doctor that there was a physical relationship between her and the petitioner.

The Court is informed that the petitioner is about 27 years of age.

Considering the materials in the case diary and the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, her age and the attending circumstances, we are unable to grant anticipatory bail to the petitioner.

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

C.R.M. (A) 1411 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

