

11.04.2023

Sl.18

Court No.29

(AD)

(Allowed)

C.R.M. (A) 1507 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rejinagar** Police Station Case No.**299 of 2022** dated **20.11.2022** under Sections **363/365/34** of the Indian Penal Code and added Section **6** of POCSO Act.

And

In the matter of: **Prasenjit Mondal**

....petitioner.

Mr. Robiul Islam

Mr. Raju Mondal

... for the petitioner.

Mr. Imran Ali

Ms. Debjani Sahu

...for the State.

Petitioner prays for anticipatory bail.

The victim is apparently about 16 years of age.

She recorded a statement under Section 164 of the Code of Criminal Procedure three months after the incident as appearing from her statement.

Victim refused to undergo medical examination.

The Court is informed that, the victim married a different person subsequently.

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 week 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) 1507 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)