

05.07.2023

Sl. 6

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2297 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Dholahat** Police Station Case No. **560 of 2022** dated **11.12.2022** under Sections **363/365/376** of the IPC and under Section **6(1)** of the POCSO Act, 2012 corresponding to Special POCSO Case No. **87 of 2022**.

And

In the matter of: **Barun Teli**

....petitioner.

Mr. Gouranga Kumar Das

Ms. Swati Mondal

...for the petitioner.

Mr. Sujan Chatterjee

...for the State.

1. Heard learned Counsel for both the parties.
2. Though the petitioner is aged about 21 years old and the victim is aged about 16/17 year old as submitted at the Bar they developed love affairs and kept physical relationship. The victim girl also denied to be medically examined and in her statement recorded under Section 164 Cr.P.C. she has admitted about the relationship/love affairs. She does not allege or admit of any physical relationship. Investigation is stated to have progressed substantially.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, his tender age, possibility of reform in him and substantial progress in the investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case No. 560 of 2022 on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
4. The concerned Arresting Officer is hereby directed to act upon

the server copy of this order.

5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. Learned I.O. shall act upon the server copy of this order, if, required.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2297 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

