

04.07.2023

Sl. 32

Court No. 29

Suvayan

(Partly Allowed)

C.R.M. (A) 2344 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Suti** Police Station Case No. **207 of 2023** dated **26.04.2023** under Sections **448/325/354/506/34** of the IPC and Section **12** of the POCSO Act.

And

In the matter of: **Manik Sk. & Ors.**

....petitioners.

Ms. Shabana Hasin

Mr. Mobaidur Hossain

...for the petitioners.

Mr. Sudip Kumar

...for the State.

Ms. Rita Patra

Mr. M. F. Ahmed Begg

Ms. Pusmita Das

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. Learned Counsel for the petitioners does not want to press this application for the bail in respect of petitioner No. 1, Manik Sk. for the time being with liberty to renew his prayer for anticipatory bail at appropriate with better particulars.
3. Accordingly, this application for anticipatory bail in respect of petitioner No. 1, Manik Sk. is dismissed as not pressed with the aforesaid liberty.
4. It is fairly submitted at the Bar that so far as other petitioners are concerned there is no allegation of any specific overt act against them in the statement of the victim recorded under Section 164 Cr.P.C.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners and substantial progress in the investigation, it is directed that each of the petitioner except petitioner No. 1, Manik Sk. shall be released on bail by the Arresting Officer in the event of their arrest on

such terms and conditions as deemed just and proper in the facts and circumstances of the case in connection with Suti P.S. case No. 207 of 2023 dated 26.04.2023.

6. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
7. Within 3 weeks of the receipt of server copy or certified copy of this order, the petitioners except petitioner No. 1, Manik Sk. are directed to appear before the I.O. alongwith a copy of such order.
5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being **CRM (A) 2344 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Apurba Sinha Ray, J.)

