

20.07.2023

SL. 37

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2604 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with POCSO. Case No. **54 of 2023** arising out of **Malda** P.S. Case No. **177 of 2023** dated **03.04.2023** under Sections **363/365/109** of the IPC and added Sections **9/10/11** of the Child Marriage Act read with Sections **6/17** of the POCSO Act pending before the learned Special Judge (POCSO Act), Malda.

And

In the matter of: **Bikash Mondal & Ors.**

....petitioners.

Mr. Kazi M. Rahman

...for the petitioners.

Mr. Binay Panda

Ms. Puspita Saha

...for the State.

1. Heard learned Counsel for both the parties.
2. Charge-sheet is stated to have been filed in the meantime.
3. Regard being had to facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of offence and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Special Judge (POCSO Act), malda within 15 days from today in Spl. Case No. 54 of 2023 arising out of aforesaid P.S. case. On their appearance and application for bail each of the petitioner shall be released on bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
4. The learned Special Judge (POCSO Act) is directed to 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) 2604 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

