

**25.07.2023**

SL. 37

Court No. 29

Suvayan

(Allowed)

**C.R.M. (A) 2657 of 2023**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Beldanga** P.S. Case No. **472 of 2021** dated **16.08.2021** under Sections **363/365/34** of the IPC and Section **4** of the POCSO Act pending before the learned Judge Special Court (POCSO Act), Berhampore, Murshidabad.

And

In the matter of: **Sougata Hazra @ Saugata**

....petitioner.

Mr. Arnab Chatterjee

...for the petitioner.

Mr. Swapan Banerjee

Ms. Prunima Ghosh

...for the State.

1. Heard learned Counsel for both the parties.
2. Affidavit-of-service filed by the petitioner be taken on record.
3. Considered the materials placed by them including the statement of the victim recorded under Sections 161 and 164 Cr.P.C. and the medical examination report in respect of the victim. The statement of the victim presents a peculiar case of love, elopement, marriage and co-habitation between the petitioner and the victim.
4. Charge-sheet in the case having already been filed. There is no requirement of custodial interrogation of the petitioner.
5. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation, and completion of investigation, it is directed that the petitioner shall surrender before the learned Judge Special Court (POCSO Act), Berhampore, Murshidabad within 15 days from today arising out of aforesaid P.S. case including the conditions that i) the petitioner shall appear before the Court during the trial on each date of substantive hearing subject to provision Section 317 Cr.P.C.; ii) the petitioner shall not leave the jurisdiction of the

Court without obtaining prior permission of the Court; iii) the petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order. On his appearance and application for bail 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.

6. The learned Judge Special Court (POCSO Act) is directed to act upon the server copy of this order, if required.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 2657 of 2023** is disposed of.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

