

25.07.2023

SL. 38

Court No. 29

Suvayan

(Allowed)

C.R.M. (A) 2658 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with C. Spl. No. **74 of 2021** arising out of **Hariharpara** P.S. Case No. **127 of 2021** dated **01.04.2021** under Sections **363/365/34** of the IPC and Section **4** of the POCSO Act pending before the learned Judge Special Court (POCSO), Berhampore, Murshidabad.

And

In the matter of: **Sohel Sk.**

....petitioner.

Mr. Arnab Chatterjee

Ms. Poulomi Bose

...for the petitioner.

Mr. Joydeep Roy

Mr. Amanul Islam

...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 witnesses recorded under Sections 161 and 164 Cr.P.C. The present petitioner is stated to be the friend of one Zinnat with whom the victim had fled away to Gujrat.
4. It is fairly submitted at Bar that there is no substantive allegation against the present 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), Berhampore, Murshidabad within 15 days from today in connection with C. Spl. No. 74 of 2021 arising out of aforesaid P.S. case. 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) 2658 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

