

26.07.2023

SL. 12

Court No. 29

Sourav

(Rejected)

C.R.M. (A) 2686 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Muchi-Para** Police Station Case No. **14** dated **28.01.2023** under Sections **354** IPC and Section **8** POCSO Act (corresponding to G.R. (NS) Case No. **63** of **2023**).

And

In the matter of: **Ranjit Kumar Sah @ Shaw**

....petitioner.

Mr. Murari Chakraborty

Mr. Shibaji Kumar Das

Mr. Mahesh Kumar Shaw

Mr. Santosh Kumar Pandey

Ms. Suranjana Bhattacharyya

...for the petitioner.

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

...for the State.

1. Heard learned Counsel for the parties.
2. Regard being had to the seriousness of the allegation, we feel persuaded to eschew the delay in lodging of the FIR, which has been explained by the victim. So far as consideration of the prayer for anticipatory bail is concerned. It also does not give rise to any doubt in our mind that a paternal elder father cannot do such things with a child of tender age.
3. In view of all such facts and especially, the seriousness of allegation, we are not inclined to exercise our discretion under Section 438 Cr.P.C. in favour of the petitioner.
4. Accordingly, the prayer for the anticipatory bail is rejected.
5. The application being **CRM (A) 2686 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

