

07.08.2023

ML. 19
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 2751 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Chanchal** P.S. Case No. **954 of 2022** dated **17.08.2022** under Sections **363/365/34** of the IPC and adding Section **6** of the POCSO Act corresponding to G.R. Case No. **2244 of 2022** pending before the learned Judge, Special Court, Chanchal, Malda.

And

In the matter of: **Jakir Hossain & Anr.**

....petitioners.

Mr. Soupal Chatterjee
Mr. Anupam Das
Ms. Sucheta Banerjee

...for the petitioners.

Mr. Swapan Banerjee
Mr. Anindya Sundar Chatterjee

...for the State.

1. Heard learned Counsel for both the parties.
2. Considered the materials placed by them including the statement of the witnesses recorded under Section 161 Cr.P.C. and the victim recorded under Section 164 Cr.P.C.
3. The victim is stated to have not named the present petitioners in her statement under Sections 164 Cr.P.C. as well as under Section 161 Cr.P.C.
4. Regard being had to facts and submissions, factum of permanent residence of the petitioners, nature of allegation, nature of evidence and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Judge, Special Court, Chanchal, Malda within 15 days from today in the G.R. case No. 2244 of 2022 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 including the condition that:

- i) The petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. The learned Judge, Special Court is directed to act upon the server copy of this order, if required.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 2751 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

