

10.08.2023
ML. 174
Court No. 29
Sourav

C.R.M. (A) 2957 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **553** of **2023** dated **12.06.2023** under Sections **363/365** IPC added Section **376AB** IPC read with Section **6(1)** of POCSO Act.

And

In the matter of: **Papai Santra**

....petitioner.

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Poulami Bose

...for the petitioner.

Mr. Arijit Ganguly
Mr. Avik Ghatak

...for the State.

Mr. Sumanta Das

... for the defacto complainant.

1. Heard learned Counsel for the parties.
2. From the statement of the victim recorded under Section 164 Cr.P.C., the offence under Section 376AB IPC is made out.
3. This petition for anticipatory bail is not maintainable in view of Section 438(4) Cr.P.C.
4. Accordingly, the application being **CRM (A) 2957 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

