

22.08.2023
ML. 291
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 3094 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Jagatballavpur** Police Station Case No. **171 of 2023** dated **05.07.2023** under Sections **354/509** of the IPC and Sections **10/12** of the POCSO Act.

And

In the matter of: **Pintu Pandit**

....petitioner.

Mr. Ayan Basu
Mr. Sk. Salim
Mr. Sumit Routh

...for the petitioner.

Ms. Zareen N. Khan
Mr. Ashok Das

...for the State.

Mr. Shaheb Sadhukhan

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. The allegation *per se* against a teacher is shocking and has the potency of shaking the conscience of the society but at the same time the tendency of using young girls for the purpose of vengeance as is seen by us almost everyday is also not uncommon.
3. In view of such paradoxical situation, we do not want to deny the benefit of liberty to the petitioner.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of his arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the condition that:
 - i) The petitioner is directed to appear before the I.O. once in a week on the day and time fixed by the

I.O. for the purpose of investigation till submission of F.F.

- ii) The petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the I.O.

5. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
6. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 3094 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

