

20.09.2023
D/L 7
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3289 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Special Case No.59 of 2019 arising out of Chanchal P. S. Case No.488 of 2019 dated 13.07.2019 under Sections 363/365/366/109/506/34 of the Indian Penal Code read with Sections 6 of the POCSO Act read with Sections 9 and 10 of the Prohibition of Child Marriage Act, 2006.

In the matter of : Meheub Alam @ Rajesh
... Petitioner

Mr. Soupal Chatterjee,
Ms. Sucheta Banerjee
... for the petitioner

Mr. Zareen N. Khan,
Mr. Asif Dewan
... for the State

Mr. Prabir Kumar Das,
Mr. Anupam Das
... for the defacto complainant

1. Heard learned counsel for the parties.
2. The victim also appeared through a counsel and he is present in court.
3. When the occurrence happened in the year 2019, the victim was about 15/16 years old and now she is about 20 years old. The petitioner is slightly elder to her. This is a case of romantic relationship.
4. Charge-sheet is filed.
5. It is submitted by learned counsel for the petitioner and the victim that both the victim and the petitioner are

residing in their matrimonial home now and they have been blessed with a son in the meantime.

6. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, the circumstances attending and following the entire transaction and completion of investigation, it is directed that the petitioner shall surrender before the learned Judge, Special Court (POCSO), Chanchal, Malda in Special Case No.59 of 2019 arising out of the aforesaid P.S. case within 15 days from today. On his surrender and application for bail, he shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being CRM(A) 3289 of 2023 is disposed of.
9. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)