

30.08.2023
SL. 32
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3476 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **English Bazar Women** Police Station Case No. **43** of **2023** dated **07.03.2023** under Section **6** of the POCSO Act.

And

In the matter of: **Almara Bibi & Ors.**

....petitioners.

Md. Wasim Akram

...for the petitioners.

Mr. Imran Ali
Ms. Debjani Sahu

...for the State.

1. Heard learned Counsel for the parties.
2. The petitioners are stated to be the members of the family of one Sarfaraz Momin, the alleged principal accused.
3. From the statement of the victim recorded under Section 164 Cr.P.C., we find that there is no allegation to constitute offence under Section 6 of the POCSO Act though there is allegation of her manhandling and attempt to murder by strangulation.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail in the event of their arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
5. The petitioners are directed to appear before the I.O. within 21 days from today along with a server copy or certified copy

of this order.

6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 3476 of 2023** is disposed of.
8. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

