

30.08.2023

SL. 81

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3530 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Santipur** Police Station Case No. **260** of **2020** dated **22.06.2020** under Section **10** of the POCSO Act and Section 120B IPC.

And

In the matter of: **Baishakhi Biswas @ Puja Das**

....petitioner.

Ms. Sananda Bhattacharyya

...for the petitioner.

Mr. Anwar Hossain

Ms. Manisha Sharma

... for the State.

1. Heard learned Counsel for the parties.
2. From the materials on record including the statement of the victim recorded under Section 164 Cr.P.C., it is found that the husband of the present petitioner tried to commit aggravated sexual assault on the victim when his wife (present petitioner) was outside. The present petitioner has been roped in by aid of Section 120B IPC on the basis of allegation that it is the present petitioner who had called the victim to her house and asked her to lay down on the cot but, thereafter, she had left the spot. In the interregnum, the husband of the petitioner coming inside the room is alleged to have committed the offence.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and completion of investigation it is directed that the petitioner shall surrender before the learned Additional Sessions Judge, Special Court (POCSO Act), Ranaghat, Nadia

in Special Case arising out of the aforesaid P.S. case within 15 days from today. On her appearance and application for bail 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.

4. Accordingly, the prayer for the anticipatory bail is allowed.
5. The application being **CRM (A) 3530 of 2023** is disposed of.
6. Learned Additional Sessions Judge, Special Court (POCSO Act), Ranaghat, Nadia is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

