

18.09.2023
ML. 105
Court No. 29
NKB

C.R.M. (A) 3712 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jagatballavpur** Police Station Case No. **109** of **2023** dated **05.05.2023** under Sections 448/506/188/195A of the Indian Penal Code.

And

In the matter of: **Supriyo Dholey.**

....petitioner.

Ms. Sonali Das
Mr. Subrato Roy

...for the petitioner.

Mr. Rudradipta Nandy
Mr. Subrato Roy

...for the State.

1. Heard learned Counsels for the parties.
2. The allegation is that after waiver of the condition of bail passed in a POCSO case, the present petitioner being the principal accused of the said POCSO case started threatening the victim and her family members. It is submitted on behalf of the petitioner that the allegations are not correct. On perusal of the entire materials of the case, we find that there are statements of the witnesses which are to some extent supportive of the allegation as made out in the FIR.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation and keeping in mind that this is not a fit case for custodial interrogation 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 IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
 - ii) the petitioner shall not leave the jurisdiction of the P.S. without obtaining prior leave from the IO except for attending court.
4. Accordingly, the prayer for the anticipatory bail is allowed.
 5. The application being **CRM (A) 3712 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

