

25.09.2023

SL. 16

Court No. 29

Sourav

(Allowed)

C.R.M. (A) 3798 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. **882** of **2023** dated **13.08.2023** under Sections **341/323/427/34** IPC.

And

In the matter of: **Manoj Khan**

....petitioner.

Mr. Ashok Das
Mr. Amanul Islam

...for the petitioner.

Md. Anwar Hossain
Mr. A. F. Molla

...for the State.

Mr. Arnab Chatterjee

... for the defacto complainant.

1. Heard learned Counsel for the parties.
2. The occurrence happened between the family of the informant and the petitioner over raising of a boundary wall. It is submitted by the learned Counsel for the informant that the victim girl who is niece of the informant was recording the entire incident by a mobile phone. Seeing her doing that, the present petitioner and others are alleged to have assaulted her.
3. From the genesis of events, we find that there has been some padding up to attract offence under Section 8 of POCSO Act.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, nature of offence and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his 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 including the conditions that:

- i) The petitioner is directed to appear before the I.O. once in a fortnight on the day and time fixed by the I.O. for the purpose of investigation till submission of Final Form.
- ii) The petitioner shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.

- 5. Within 21 days from today, petitioner is directed to appear before the I.O. along with a server copy or certified copy of this order.
- 6. Accordingly, the prayer for anticipatory bail is allowed.
- 7. The application being **CRM (A) 3798 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.)

