

11.10.2023
SL. 20
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 3801 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jalangi** Police Station Case No. **308** of **2017** dated **17.04.2023** under Sections **448/363/366/34/376** IPC and Section **8** of the POCSO Act.

And

In the matter of: **Inarul Mondal & Anr.**

....petitioners.

Ms. Minoti Gomes

...for the petitioners.

Mr. Arijit Ganguly
Mr. Sanjib Kr. Dan

... for the State.

1. Heard learned Counsel for the parties.
2. Perused the report submitted by the I.O. through learned Counsel for the State. The report be accepted on record.
3. The present petitioner is the friend of the principal accused who in the meantime has married the victim girl and they are blessed with a son.
4. It is further reported by the I.O. that the marriage was solemnized on 17.08.2017 and the victim and the principal accused are reported to be continuing a happy conjugal life.
5. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, development supra and completion of investigation, it is directed that each of the petitioner shall surrender before the learned Judge, Special Court under POCSO Act, Berhampore, Murshidabad, in Special Case No. 51 of 2017 arising out of the aforesaid P.S. case within 15 days from today. On their appearance and application for bail, they shall be released on

bail on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. Accordingly, the prayer for anticipatory bail is allowed.
7. The application being **CRM (A) 3801 of 2023** is disposed of.
8. Learned Judge, Special Court under POCSO Act, Berhampore, Murshidabad, is hereby directed to act upon the server copy of this order, if required.
9. Before parting with the order, it is beneficial to mention here that we have entertained this second application for anticipatory bail on the basis of supplementary affidavit by learned Counsel for the petitioner regarding the development occurred in the meantime culminating in marriage of the principal accused and the victim.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

