

13.10.2023
D/L 19
Ct. No.25
(Allowed)
(SKB)

CRM (A) 4177 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Harishchandrapur P. S. Case No.511 of 2023 dated 02.06.2023 under Sections 363/365/34 of the Indian Penal Code adding Section 6 of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act (G.R. No.1513 of 2023 and Special Case No.61 of 2023).

In the matter of : Rakesh Choudhury @ Rakesh Kr. Chaudhury @ Rakesh Kumar Chowdhary @ Rakesh Kumar Chaudhary

... Petitioner

Mr. Milon Mukherjee,
Mr. A. Sarkar,
Mr. A. Dewan

... for the petitioner

Mr. Saryati Dutta

... for the State

Ms. Minati Gomes

... for the defacto complainant

1. Heard learned counsel for the parties.
2. It is submitted by Ms. Gomes, learned counsel for the victim that the victim has no allegation against the present petitioner who happens to be the husband of her elder sister and she had stated against him also as he was a stumbling block in her love affair with the principal accused, Mithun Mondal who has already been released on anticipatory bail.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of

allegation 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 G.R. No.1513 of 2023 and Special Case No.61 of 2023 arising out of the aforesaid P.S. case 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. 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. The applications being CRM(A) 4177 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)