

**05.12.2023**  
(A. 25)

**C.R.M. (A) 4225 of 2023**

Court No. 29

S. Banerjee  
(Allowed)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Kandi** Police Station Case No. **252 of 2023** dated **05.05.2023** under Section **376** of the IPC and 4 POCSO Act.

And

In the matter of: **Jahir Seikh @ Zahir Seikh**

....petitioner

Mr. Pratip Kumar Chatterjee

...for the petitioners

Mr. Anwar Hossain

Ms. Ratna Ghosh

...for the State

1. Heard learned Counsel for both the parties. Considered the materials placed by them including the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.
2. It is found that the petitioner and the victim were in a romantic relationship in course of which physical relationship has been established. The petitioner is stated to be aged about 21 years old and the victim is stated to be 16 years old.
3. Regard being had to the facts and submissions, factual of permanent residence of the petitioner, his tender age and possibility of reform in him, nature of allegation and substantial progress in investigation, it is directed that the petitioners 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 I.O. once in a week 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.

- 4. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.
- 5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
- 6. Accordingly, the prayer for the anticipatory bail is allowed.
- 7. The application being **CRM (A) 4225 of 2023** is disposed of.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**