

29.11.2023
Sr. No. 45.
AB
Court 28
[ALLOWED]

C. R. M. (A) 4316 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Rahara Police Station Case No. 318 of 2023 dated 25.08.2023 under Sections 363/366/376 of the Indian Penal Code read with Section 4 of the POCSO Act

In Re: **Rabiul Mondal** Petitioner.

Mr. Debasis Kar for the petitioner.

Mr. Shiladitya Banerjee... .. for the State

1. Heard the learned lawyers for the parties.
2. Notice has been issued upon the victim. Nobody appears for the victim.
3. We have considered the statement of the victim recorded under Section 164 Cr.P.C. Statement is exonerative.
4. Under such circumstances, we are of the view that custodial interrogation of the petitioner is not necessary and he may be granted bail.
5. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Rabiul Mondal** be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and he shall appear before the court below and pray for regular bail within four weeks from date.
6. The application for anticipatory bail is, thus, disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

