

22.11.2023
SL. 22
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4379 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Berhampore** P.S. case No. **930 of 2023** dated **13.07.2023** under Section **376** of the IPC and Section **4** of the POCSO Act pending before the learned Judge, Special Court (POCSO Act), Berhampore, Murshidabad.

And

In the matter of: **Gourab Halder**

....petitioner.

Md. Mokaram Hssain
Mr. Sandipan Maity

...for the petitioner.

Ms. Sreyashee Biswas

...for the State.

1. Heard learned Counsel for both the parties.
2. From the statement of the victim recorded under Section 164 Cr.P.C., we find that there was previous acquaintance between the petitioner and the victim and both of them being in a romantic relationship, tried coition in their quest for sexual pleasure.
3. Charge-sheet has already been filed.
4. Regard being had to facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of offence and completion of investigation, it is directed that the petitioner shall surrender before the learned Judge, Special Court (POCSO Act), Berhampore, Murshidabad within 15 days from today in the Special Case arising out of aforesaid P.S. case. On his appearance and application for bail the petitioner shall be released on bail 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 shall appear before the learned Trial Court on each date of substantive hearing subject

to the provision of Section 317 Cr.P.C.

5. The learned Judge, Special Court (POCSO Act) is directed to act upon the server copy of this order, if required.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being **CRM (A) 4379 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

