

22.11.2023
SL. 62
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4506 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Burwan** P.S. case No. **65 of 2023** dated **26.02.2023** under Sections **363/365/34** of the IPC adding Section **376** of the IPC and Section **4** of the POCSO Act corresponding to C. Special Case No. 24 of 2023 pending before the learned Additional Sessions Judge cum Judge Special Court (POCSO Act), Kandi, Murshidabad.

And

In the matter of: **Ratan Mallick @ Ratan Sk.**

....petitioner.

Mr. Manas Kumar Das

...for the petitioner.

Mr. Sudip Kumar

...for the State.

Mr. Aritra Kumar Thokdar

...for the de facto complainant.

1. Heard learned Counsel for both the parties.
2. The petitioner is a boy of 23 years old as found from the case record and the girl is about 16/17 years old as submitted at the Bar. There was a romantic relationship between them and fixing a rendezvous they fled from their respective houses to return again after some days. Such fact comes out from the statement of the victim recorded under Section 164 Cr.P.C.
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 and completion of investigation, it is directed that the petitioner shall surrender before the learned Additional Sessions Judge cum Judge Special Court (POCSO Act), Kandi, Murshidabad within 15 days from today in the C. Special Case No. 24 of 2023 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.

5. The learned Additional Sessions Judge cum Judge Special Court (POCSO Act), Kandi, Murshidabad 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) 4506 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

