

13.12.2023
SL.53
Court No. 29
Aloke

C.R.M. (A) 4646 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Harishchandrapur** Police Station Case No. **616** of **2023** dated 01.07.2023 under Sections **363/365** IPC read with Sections **177/120(B)/109** of the Indian Penal Code and Sections **9/10/11** of the Child Marriage Act and adding Section **6** of the POCSO Act (corresponding to Special Case No. 81 of 2023), pending before the Learned Judge, Special Court-cum-Additional Sessions Judge, Chanchal, Malda.

And

In the matter of: **Rayel Mia @ Royel Mian @ Rayal Mia**
....petitioner

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Dhanasree Biswas
Ms. Poulami Basu

...for the petitioner

Mr. Joydeep Roy
Ms. Sujata Das

... for the State.

1. Heard learned Counsel for the parties.
2. Perused the statements of the victim girl as recorded under Section 164 Cr.P.C. where she has clearly exonerated the present petitioner in respect of the alleged crime.
3. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence 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 aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
4. The petitioner shall not threaten, induce or coerce any

witness of this case in any manner whatsoever during the currency of this order.

5. Accordingly, the prayer for anticipatory bail is allowed.
6. The application being **CRM (A) 4646 of 2023** is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

