

13.12.2023
M/L SL. 59
Court No. 29
Aloke

C.R.M. (A) 4660 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhatar** Police Station Case No. **229 of 2022** dated 21.06.2022 under Sections **363/365/376** of the Indian Penal Code and Section **4** of the POCSO Act of the Arms Act (corresponding to G.R Case No. 3026 of 2022).

And

In the matter of: **Sukumar Bag @ Bhola Bag.**

....petitioner

Mr. Sujoy Sarkar

...for the petitioners

Ms. Anasuya Sinha
Ms. Subhasree Patel

...for the State.

1. Heard learned Counsel for the parties.
2. On perusal of the statement of the victim who is a minor as recorded under Section 164 Cr.P.C., we find that taking advantage of the previous romantic relationship between the petitioner and the victim, the petitioner on the relevant day and hour forcibly took her at his relative's house where she established physical relationship with the victim despite protest of the victim and despite her disclosure that she is still a minor.
3. Considering the entire circumstances as narrated hereinabove and considering the serious nature of crime, we are not inclined to exercise our discretion in favour of the present petitioner.

4. Accordingly, the prayer for anticipatory bail is rejected.
5. The application being **CRM (A) 4660 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

