

AD-30
Ct No.01
Jalpaiguri
14.09.2023
B.Pal

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (A) 732 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 31.08.2023 in connection with Mekhliganj Police Station Case No. 180 of 2023 dated 15.06.2023 under Sections 363/365/506 of the Indian Penal Code, 1860 read with Sections 6/17 of the POCSO Act.

And

In the matter of: REJAUL RAHAMAN

...petitioner

Mr. Anirban Banerjee,
Mr. Debasish Mukhopadhyay
Ms. Sohini Guha Roy

... for the petitioner

Mr. Ujjwal Luksom,
Ms. Namrata Das

... for the State

1. Learned counsel for the petitioner points out that even as per the statement of the alleged victim, there is no whisper of allegations against the petitioner. Upon perusal of the statement under Section 164 of the Cr. P.C. we are convinced that the petitioner is justified in so arguing, since the alleged victim merely stated that she had gone to her friend's residence.

2. Hence, we are inclined to grant anticipatory bail to the petitioner.
3. Accordingly, CRM (A) 732 of 2023 is allowed, thereby granting anticipatory bail to the petitioner on condition that the petitioners shall comply with the stipulations in Section 438(2) of the Code of Criminal Procedure.
4. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.1000/-, with one surety of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and on further condition that the petitioner shall make himself available as and when required to facilitate proper investigation.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)