

16.01.2024

17

Ct. No. 29

S.D.

REJECTED

C.R.M.(A) 108 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kultali** Police Station Case No. **644 of 2019** dated **05.10.2023** under Section **376(5)(N)/376(3)/109/34** of the Indian Penal Code and Section 6 and 17 of the POCSO Act.

And

In Re : Saddam Mondal & Anr.

..... petitioners

Mr. Lakshminath Bhattacharya

...for the petitioners

Mr. Pinak Kumar Mitra

...for the State

Petitioners before us pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that there is a delay in lodgement of the FIR. The principal accused was arrested. It is claimed as against the petitioners that they are acquaintance of the principal accused. Police filed charge sheet and, therefore, custodial interrogation of the petitioners is not required.

Learned advocate appearing for the State draws the attention of the Court to the materials in the case diary.

We perused the materials in the case diary.

Apparently, there was a relationship between the principal accused and a person who was a minor.

Such minor apparently committed suicide.

The materials in the case dairy implicate the petitioners in assisting the principal accused in keeping a relationship with the minor.

Considering the gravity of the offence and the involvement of the petitioners, we are unable to grant anticipatory bail to any of the petitioners and the prayer of anticipatory bail is rejected.

The application being CRM (A) 108 of 2024 is dismissed.

Although the defacto-complainant was not arranged as a party respondent in the instant application, such defacto-complainant was served. Affidavit of service in this regard filed in Court be taken on record.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)