

13.02.2024

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Ct. No. 29

S.D.

Allowed

C.R.M.(A) 452 of 2024

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Patiram** Police Station Case No. **171 of 2023** dated **16.08.2023** under Sections **363** of the Indian Penal Code adding Sections 365/109 of the Indian Penal Code and Section 6 of the POCSO Act, 2012.

And

In Re : Emarul Hossen Mondal

..... petitioner

Mr. Robiul Islam

Mr. Raju Mondal

Mr. Masooq Rahman

Mr. Saim-Ul-Bari

...for the petitioner

Mr. Madhusudan Sur, Ld. APP.,

Mr. A. S. chatterjee

...for the State

Victim apparently was 17 years of age at the time of the incident. She recorded a statement under Section 164 of the Cr.P.C. claiming that she went away voluntarily with the principal accused.

Police filed charge sheet.

Petitioner before us is alleged to facilitate the victim running away.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall appear on every date before the Jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)