

26.02.2024

DL-32

Court No.29

(AD)

(Allowed)

C.R.M. (A) 652 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Belghoria** Police Station Case No.**449 of 2023** dated **16.09.2023** under Section **10** of the Protection of Children from Sexual Offences Act, 2012 read with Section **506** of the Indian Penal Code .(POCSO Case No.141 of 2023).

And

In the matter of: **Bholanath Bal**

....petitioner.

Mr. Jagannath Ganguly

...for the petitioner.

Mr. Binoy Kumar Panda

Mr. Nirupam Dhali

... for the State.

Apparently, there are disputes between the private parties.

Victim recorded her statement under Section 164 of the Code of Criminal Procedure trying to implicate the petitioner before us in an offence of bad touch.

Medical examination was refused.

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/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on condition that 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.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 652 of 2024 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)