

07.03.2024
DL-17
Court No.29
(AD)
(Rejected)

C.R.M. (A) 804 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manikchak** Police Station Case No. **842 of 2023** dated **12.10.2023** under Sections **341/323/354D/506/34** of the Indian Penal Code, 1860 read with Section **10** of the Protection of Children from Sexual Offences Act, 2012. (POCSO Case No.163 of 2023).

And

In the matter of: **Nijam Momin**

....petitioner.

Mr. Avinaba Patra

... for the petitioner.

Mr. Angshuman Chakraborty

... for the State.

Affidavit of service filed in Court be taken on record.

None appears for the de facto complainant.

There are three statements recorded under Section 164 of the Code of Criminal Procedure which corroborates each other.

Of three, two are of the victim and the third one is by the mother of the victim.

All the statements implicate the petitioner in the offences alleged.

Considering the gravity of the offence and the involvement of the petitioner in the incident as transpiring from the materials in the case diary, we are unable to grant anticipatory bail to the petitioner.

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

C.R.M. (A) 804 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)