

22.04.2024
Item No.408
Ct. No. 29
CHC
Allowed

C.R.M.(A) 997 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Panskura** Police Station Case No. **256** of **2022** dated **04.04.2022** under Sections **341/323/325/354/307/506/34** of the Indian Penal Code, 1860, read with Sections **8** and **10** of the Protection of Children from Sexual Offence Act, (POCSO ACT) 2012, pending before the Learned Additional Sessions Judge, 2nd Court, Tamluk.

AND

In the matter of : Sk. Nasiruddin & ors.

..... petitioners

Mr. Soumya Banerjee,
Ms. Sucheta Banerjee
....for the petitioners

Mr. Pinak Kumar Mitra
....for the State

Petitioners pray for anticipatory bail.

Police filed charge-sheet.

Victim recorded her statement under Section 164 of the Criminal Procedure Code, where she speaks of long standing disputes between the private parties.

Statements recorded under Section 161 of the Criminal Procedure Code of the family members of the victim corroborate that, there are long standing disputes between the private parties.

Mother of the victim declined medical examination of the victim.

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

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, 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 and on condition that the petitioners 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 petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

CRM(A) 997 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)