

25.04.2024
28
Ct. No. 29
S.D.
Allowed

C.R.M.(A) 1224 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Manickchak** Police Station Case No. **952** of **2023** dated **12.11.2023** under Sections **341/323** of the Indian Penal Code and Section **12** of the **POCSO** Act pending before the learned Additional District Judge, Special Court, 2nd Court, Malda.

And

In Re : **Sk Sultan @ Sekh Sultan**

..... petitioner

Mr. Arup Kumar Bhowmick

...for the petitioner

Mr. Saryati Datta

Ms. Anesha Chakraborty

...for the State

Victim was served by the State.

None appears for the victim.

Materials in the case diary do not suggest requirement of custodial interrogation of the petitioner.

Apparently, there are disputes between the private parties.

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 will report before the

Investigating Officer once a week till the conclusion of the investigation. 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.)