

26.04.2024

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Ct. No. 29
S.D.
Allowed

C.R.M.(A) 1232 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Debra** Police Station Case No. **544** of **2023** dated **10.11.2023** under Sections **376(2)(n)/313/341** of the Indian Penal Code and Section **6** of the Protection of Children from Sexual Offences Act, 2012, pending before the learned Additional District & Sessions Judge, 2nd Court, Special Court under the POCSO Act, Paschim Medinipur.

And

In Re : **Snehasis @ Snehasish Hembram**

..... petitioner

Ms. Madhurai Sinha

...for the petitioner

Ms. Zareen A. Khan

Mr. Santanu Talukdar

...for the State

State informed the defacto complainant as to the pendency of the present proceeding.

None appears for the defacto complainant.

Materials in the case diary suggest that there was a long-standing relationship between the two adults. The allegations are that when the defacto complainant was a minor, advantage was taken by the petitioner. Such incident relates to 9 years back. Allegation of miscarriages also relates to 8 years back.

Considering 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.)