

26.04.2024
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Ct. No. 29
S.D.
Allowed

C.R.M.(A) 1264 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Habibpur** Police Station Case No. **278** of **2023** dated **15.08.2023** under Section **363** of the Indian Penal Code adding Section **376/120(B)** of the Indian Penal Code and Section **6** of POCSO Act, 2012 and Section **10** of the Prohibition of Child Marriage Act and Section **14(A)(B)** of Foreigners Act, pending before the learned Additional District Judge, 2nd Court at Malda.

And

In Re : **Ratna Mondal Bala @ Ratna Bala**

..... petitioner

Mr. Soumik Ganguly

Mr. Mukunda Lal Sarkar

Mr. Rajesh Kumar Shah

...for the petitioner

Mr. Saibal Bapuli, Ld.A.P.P.,

Mr. Nirupam Dhali

...for the State

Victim recorded a statement under Section 164 of the Cr.P.C. which is of exoneration. It is claimed as against the petitioner that the petitioner gave shelter to the principal accused and the victim.

In view of the exonerating statement of the victim, 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 cooperate with

the investigation 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.)