

02.05.2024
Item No.18
Ct. No. 29
CHC
Allowed

C.R.M.(A) 1456 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Beldanga** Police Station Case No. **439** of **2022** dated **25.07.2022** under Sections **363/365** of the Indian Penal Code, 1860 and Section **4** of Protection of Child from Sexual Offences Act, 2012, pending before Learned Judge Special (POCSO) Court Murshidabad at Berhampore.

And

In the matter of : Rahim Choudhuri @ Rohim Choudhuri
@ Rahim Chowdhuri

..... petitioner

Mr. Arnab Chatterjee,
Mr. Anisur Rahaman
....for the petitioner

Mr. Shekhar Barman
....for the State

Mr. Sujoy Sarkar,
Mr. Rahul Chachan
....for the de facto complainant

Petitioner prays for anticipatory bail.

Police filed charge-sheet.

Victim recorded her statement under Section 164 of the Criminal Procedure Code where she stated that, she went voluntarily with the petitioner, married him and that there is a child born out of their wedlock.

Keeping in view of such statement of the victim as also the interest of the child, 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/- (Rupees Ten Thousand only), 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 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.

CRM(A) 1456 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)