

27.06.2024

Court No.29

Item No. 02

Allowed

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CRM (A) 1885 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Murshidabad Police Station Case No. 53 of 2024 dated 22.01.2024 corresponding to C. Special Case No. 6 of 2024 under Sections 354/506/509/34 of the Indian Penal Code read with Section 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re: Guddu Pramanik @ Gopal Pramanik

Petitioner

Mr. Ali Ahasan Alamgir

Ms. Soma Mal

Ms. Rabia Khatoon

For the Petitioner

Mr. Rana Mukherjee

Mr. Dattatreya Dutta

For the State

1. In spite of service, the victim is not represented. The affidavit of service filed today is taken on record.
2. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case.
3. Learned counsel for the State in opposing the prayer for anticipatory bail has referred to the statement of the victim recorded under Section 164 Cr.P.C
4. Considering the materials available in the case diary, the nature of accusation and involvement of the petitioner in the commission of the alleged offence and the fact that charge-sheet has already been filed, we are of the view that custodial interrogation of the petitioner is not necessary.

5. Accordingly, we direct that in the event of arrest, the petitioner namely, **Guddu Pramanik @ Gopal Pramanik** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, subject to the satisfaction of the Arresting Officer and also to comply with the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner shall appear before the learned Judge, Special Court under POCSO Act, Lalbagh, Murshidabad corresponding to C. Special Case No. 6 of 2024 within two weeks from date and the petitioner shall not intimidate the witnesses or tamper with evidence in any manner whatsoever. It is further directed that the petitioner shall appear on every date before the learned Judge, Special Court under POCSO Act, Lalbagh, Murshidabad on and from the date fixed for appearance of the accused. In the event of non-compliance of any of the conditions, the anticipatory bail shall stand automatically cancelled without any further reference to this Court.
6. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Soumen Sen, J)

(Uday Kumar , J)

