

27.06.2024

Court No.29

Item No. 04

Allowed

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CRM (A) 1938 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Santipur Police Station Case No. 330 of 2024 dated 20.03.2024 corresponding to G.R. Case no. 34 of 2024 under Sections 448/376/511/509/506/34 of the Indian Penal Code read with Section 8 of the Protection of Child from Sexual Offences Act, 2012.

And

In Re: **Soubhik Das**

Petitioner

Mr. Amanul Islam
Mr. Sourav Mukherjee

For the Petitioner

Mr. Saryati Datta
Ms. Jonaki Saha

For the State

Mr. Priyankar Ganguly
Ms. Shalini Bairagi

For the De-facto Complainant

1. Learned counsel for the petitioner submits that the petitioner is innocent and he has a romantic relationship with the victim. The mother of the victim has lodged a complaint.
2. Learned counsel for the State and the victim have submitted that the statement of the victim recorded under Section 164 Cr.P.C directly implicating the petitioner.
3. Considering the materials available in the case diary, the nature and complicity of the petitioner in the commission of the alleged offence and also taking into consideration the statement of the victim recorded under Section 164 Cr.P.C, we are of the view that custodial interrogation of the petitioner is not necessary.

4. Accordingly, we direct that in the event of arrest, the petitioner namely, **Soubhik Das** 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. The petitioner shall meet the Investigating Officer once in a week or as and when called for till the submission of the final report and shall not enter the jurisdiction of Santipur Police Station, except for the purpose of meeting the I.O till the submission of the final report. The petitioner shall also furnish the full address, where he shall be presently residing, to I.O and on further condition that the petitioner shall appear before the learned Additional Chief Judicial Magistrate, Ranaghat, Nadia in connection with G.R. Case no. 34 of 2024 within two weeks from date. 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.
5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed and the same is accordingly disposed of.
6. 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)

