

08.07.2024
SI No. 45
Court No.29
TN
(Allowed)

CRM (A) 2227 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed in connection with Madhyamgram Police Station Case No.185 of 2024 dated 26.03.2024 under Section 04 of the Protection of Children From Sexual Offences Act read with Sections 9/10 of the Child Marriage Act.

And

In the matter of: **Md. Khurshid Alam alias Khursid.**

- petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha

.... for the petitioner.

Mr. Amanul Islam,
Mr. Sourav Mukherjee

....for the victim.

Mr. Sujan Chatterjee

... for the State.

1. Considering the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and she is now major and residing with the petitioner, we are of the view that custodial interrogation of the petitioner is not necessary.
2. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Md. Khurshid Alam alias Khursid** shall be released on bail upon furnishing a bond of Rs.5,000/-, with one registered surety, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall meet the Investigating Officer of the case as and when required till submission of the final report.

3. It is further directed that the present accused petitioner shall appear before the learned Special Court under POCSO Act at Barasat, North Parganas within two weeks from date and pray for regular bail.
4. Accordingly, the application for anticipatory bail is disposed of.
5. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)