

22.07.2024
Court No.29
Item No. 34

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CRM (A) 2439 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Raipur Police Station Case No. 63 of 2024 dated 08.06.2024 corresponding to G.R Case No. 374 of 2024 under Sections 447/325/326/307/34 of the Indian Penal Code.

In Re: CCL (Accused no. 4)

Petitioner

Mr. Arkaprabho Roy
Mr. Rhiddhiman Mukherjee

For the Petitioner

Mr. Joydeep Roy
Mr. Santanu Deb Roy

For the State

1. Leave is given to retract the name of the juvenile from the cause title.
2. This is an application made by juvenile for anticipatory bail.
3. In CRM (A) 2080 of 2024 this Bench has considered an application filed by juvenile for anticipatory bail on 18th July, 2024. Learned counsel for the petitioner has referred to the said order and prayed for similar protection in the instant case. Unlike the referred matter, in the instant matter we find that no specific allegation has been made against the juvenile by one of the eye-witnesses. Moreover, the allegation against the juvenile in the complaint is omnibus. However, specific allegation has been made against the father of the juvenile. In any event, in view of our order dated 18th July, 2024 passed in the aforesaid matter, the question of arresting a juvenile does not arise.
4. In view of the fact that the parents are in custody, we direct the Special Juvenile Police Unit or Designated Child Welfare Police Officer shall produce the child before the Juvenile Justice Board within fortnight from

date. The J.J.B is requested to proceed with the matter in accordance with law.

5. An apprehension is expressed by the learned counsel for the petitioner that the police authority may detain the juvenile at the police station and take him to police custody. We make it clear that the question of police custody of the juvenile does not arise at all.
6. In view of the above, the application for anticipatory bail stands 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)