

06.08.2024
SL No.60
Court No.29
(gc)
(Rejected)

CRM (A) 2680 of 2024

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure corresponding to Section 482 of the BNSS, 2023 filed in connection with Santipur Police Station Case No.333 of 2024 dated 21.03.2024 under Sections 341/506 of the Indian Penal Code and Section 8 of the POCSO Act, 2012.

And

In the matter of : **Uttam Halder**

- Petitioner.

Mr. Santanu Talukdar,
Mr. Subir Debnath,
Mr. Monojit Debnath

....For the Petitioner.

Mr. Sayantan Hazra

....For the De facto Complainant.

Mr. Arnab Chatterjee,
Miss. Nahid Ahmed

... For the State.

1. The learned Counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated by the de facto complainant and his family members. It is submitted that there has been enmity between the petitioner and the de facto complainant.
2. The learned Counsel for the de facto complainant and the State have opposed the prayer for anticipatory bail.
3. Considering the materials available in the case diary and the statement of the victim recorded under Section 164 of the Cr.P.C. directly implicating the petitioner and it discloses prima facie an offence under the POCSO Act, we are not inclined to grant anticipatory bail to the petitioner.
4. Accordingly, the application for anticipatory bail is rejected.

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.)