

27.09.2024
Court No.29
Item No. 5

Allowed
sg

CRM (A) 3302 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, in connection with Manikchak Police Station Case No. 244 of 2024 dated 29.03.2024 under Sections 363/365/34 of the Indian Penal Code read with Section 4 of the POCSO Act, pending before the learned Judge, Special Court, Additional Session Judge, 2nd Court, Malda.

And

In Re: **Rajkumar Rabidas**

Petitioner

Md. Wasim Akram

For the Petitioner

Mr. Partha Pratim Das

Mr. Karan Bapuli

For the State

1. The petitioner is the father of the juvenile who alleged to have eloped with the daughter of the victim. We have been informed that the juvenile appeared before the JJB and appropriate orders have been passed by the Principal Magistrate, JJB.
2. Considering the materials available in the case diary, the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, which prima facie appears to be exonerating and the nature and extent of complicity of the petitioner in the commission of alleged offence, we are of the view that custodial interrogation of the present petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest the petitioner namely, **Rajkumar Rabidas**, shall be released on bail upon furnishing a bond of Rs.2000/- with one registered sureties of like amount, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of

the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioner shall meet the I.O. as and when required.

4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
5. The report as regards service is taken on record.
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.)