

Court No. 29
(266041)

CRM (A) 3433 of 2024

24.09.2024
(AD 22)
(S. Banerjee)

(Allowed)

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Pukhuria Police Station Case No. 257 of 2024 dated 22.05.2024 under Sections 4/17 of the Protection of Children from the Sexual Offences Act, pending before the learned Special Judge, Chanchal, Malda.

And

In the matter of: **Rahul**

...petitioner

Mr. Arnab Chatterjee
Mr. Saptarshee Pakrashy

... for the petitioner

Mr. Debasis Ray, Ld. PP
Ms. Trisha Rakshit

... for the State

Mr. Amanul Islam
Mr. Sourav Mukherjee

... for the de facto complainant

1. Heard learned counsel for the parties.
2. Parties have referred to our earlier order dated 6th August, 2024 and submitted that both the parties have agreed to marriage. In fact, it was on such consideration on 6th August, 2024, after hearing all the parties, we granted anticipatory bail to the father and brother of the present petitioner.
3. Keeping in mind the aforesaid facts and the age of the petitioner as well as the daughter of the de facto complainant, 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 (Rahul) shall be released on bail upon furnishing a bond of Rs. 2,000/- with two registered sureties of like amount to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) Cr.P.C., corresponding to Section 482(2) BNSS, 2023.
5. It is further directed that the present accused petitioner shall appear before the learned Judge, Special Court under POCSO Act, Malda within four weeks from date and pray for regular bail.
6. Accordingly, the application for anticipatory bail is disposed of.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Uday Kumar, J.)

(Soumen Sen, J.)