

01.10.2024
Court No.29
Item No. 41

Allowed

sg

CRM (A) 3515 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure corresponding to Section 482 of Bhartiya Nagrik Suraksha Sanhita, in connection with Nayagram Police Station Case No. 82 of 2024 dated 16.06.2024 under Sections 363/365/34 of the Indian Penal Code adding Section 376(2)(n) IPC read with Section 4/6 of POCSO Act, pending before the learned Judge, Special Court (Additional District & Sessions Judge, 2nd Court), Jhargram.

And

In Re: **Dipankar Khelari @ Dipankar Khilari**
Petitioner

Mr. Navnil De
Ms. Monami Mukherjee

For the Petitioner

Mr. Madhusudhan Sur
Mrs. Shaila Afrin

For the State

1. The petitioner is 18 years old. The petitioner admits having relationship with the victim when she was 14 years old. Due to physical intimacy, victim conceived and she is on her family way. She is presently residing in a shelter home as she presumably refused to stay with her parents. The order of CWC, Jhargram dated 24th June, 2024 records such fact. The petitioner and the victim are unable to get married because of age factor.
2. Considering the materials available in the case diary and the aforesaid facts and in view of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, we are of the view that the custodial interrogation of the present petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the present petitioner, namely, **Dipankar Khelari @ Dipankar Khilari**, shall be released on bail

upon furnishing a bond of Rs.2,000/-, with one surety of like amount, 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 corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall meet the Investigating Officer once in a week till the submission of final report.

4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
5. 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.)