

07.10.2024
Court No.29
Item No. 18

Allowed

sg

CRM (A) 3524 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of Bhartiya Nagrik Suraksha Sanhita, in connection with Pukhuria Police Station Case No. 175 of 2024 dated 16.04.2024 under Section 363/365/368/34 of Indian Penal Code and adding Section 4 of POCSO Act, pending before the learned Judge, Special Court (under POCSO Act), Chanchal Malda.

And

In Re: **Sk. Pinku alias Sk. Pintu**

Petitioner

Mr. A. Roy
Mr. Soupal Chatterjee
Mr. Anupam Das

For the Petitioner

Md. Zubair Alam
Ms. Afreen Begam

For the State

Mr. Amit Roy

For the victim

1. We have heard the learned Counsel for the parties.
2. Considering the materials available in the case diary, the nature and extent of involvement of the petitioner in the commission of alleged offence and in view of the fact that the statement of the victim does not disclose the name of the petitioner as a co-accused, 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, **Sk. Pinku alias Sk. Pintu**, shall be released on bail upon furnishing a bond of Rs.5,000/-, with two registered sureties of like amount each, 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 the final report. The petitioner shall appear before the jurisdictional court within two weeks from date.

4. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
5. The report filed by the State 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.)