

07.10.2024  
SL No.72  
Court No.29  
(SSS)  
(Allowed)

**CRM (A) 3640 of 2024**

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023; under Section 483 of the Code of Criminal Procedure, 1973 filed in connection Kaliachak Police Station Case No.853 of 2021 dated 15.08.2021 under Section 6 of the POCSO Act.

And

In the matter of Guljar Poddar @ Md. Guljar Ali.

- Petitioner.

Mr. Suman De,  
Ms. Payel Ghosh, Advs.

....For the State.

1. Heard learned Counsel for the parties.
2. Considering the materials available in the case diary and having regard to the extent and nature of the dispute and involvement of the petitioner in the commission of alleged offence and having regard to the statement of the victim recorded under Section 164 of the Criminal Procedure Code, we are of the view that custodial interrogation of the petitioner is not necessary, which does not name the present petitioner and which does not implicate the present petitioner of the alleged offence and he was also not present at the place of occurrence, we are of the view that custodial interrogation of the petitioner is not necessary and there is nothing available in the Case Diary.

3. Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sri Guljar Poddar @ Md. Guljar Ali** shall be released on bail upon furnishing a bond of Rs.10,000/- each, 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. The petitioners shall deposit the mobile with the Investigating Officer for forensic examination within 24 hours without tampering with the said mobile. It is further directed that the petitioners shall appear before the learned Additional District Judge, 2<sup>nd</sup> Court, Special Court, Malda in connection with POCSO Case No.117 of 2021 and pray for regular bail within two weeks from date and shall meet the I.O once in a fortnight. Charge sheet has been filed.
4. The petitioner shall not leave the jurisdiction of Police Station Kaliachak without the leave of the Investigating Officer.
5. Accordingly, the application for anticipatory bail is disposed of.
6. 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.)**