

10.01.2024
Item No.249ML
Ct. No. 29
CHC
Rejected

C.R.M.(A) 4912 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Palashipara** Police Station FIR No. **298/2023** dated **02.10.2023** under Sections **417/376/406/506/120B** of the Indian Penal Code and Section **4** POCSO Act.

And

In the matter of : Prodip Kumar Biswas

..... petitioner

Mr. Sandip Chakraborty,
Mr. Dilip Kumar Maiti,
....for the petitioner

Mr. Anwar Hossain
....for the State

Ms. Minoti Gomes
....for the de facto complainant

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, there was a relationship of four years. The petitioner is now married to the victim.

State and the de facto complainant are represented.

The materials in the Case Diary suggest that there was a physical relationship when the victim was a minor.

The petitioner is being proceeded *inter alia* under Section 4 of the POCSO Act.

In such circumstances, considering the gravity of the offence and the involvement of the petitioner in the incident, we are unable to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 4912 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)