

20.02.2024
ML-592
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5675 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No.**309 of 2023** dated **16.10.2023** under Sections **448/363/511/506/34** of the Indian Penal Code, 1860 and **12** of the Protection of Children from Sexual Offences Act .(POCSO Case No.38 of 2023).

And

In the matter of: **Altab Sekh @ Amla Sk.**

....petitioner.

Mr. Asraf Mandal

...for the petitioner.

Mr. Joydeep Roy
Ms. Sonali Bhar

... for the State.

Affidavit of service filed in Court be taken on record.

None appears for the victim.

Victim recorded her statement under Section 164 of the Code of Criminal Procedure claiming that she was restrained and pulled at forcefully. It is claimed that her mother was assaulted with an attempt to murder her. Victim refused to undergo medical examination.

The injury report of the mother suggests that she suffered abrasion over the left knee joint.

Apparently, an incident of assault took place and that, there is police complaint containing exaggeration cannot be overlooked.

In such circumstances, we grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like

amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a month till the conclusion of the investigation and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

C.R.M. (A) 5675 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)