

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

12.03.2024

Court No.1
Item.100
(Srimanta)

CRM(A) 171 OF 2024

In Re: An application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973 filed in connection with New Jalpaiguri Police Station Case No. 987/2023 dated 16.10.2023 under Sections 6 of Protection of Children from Sexual Offences Act.

And

In the matter of: **Md. Robi @ Rabi Md.**

. . .Petitioner.

Mr. Supriya Debnath,
Mr. Biswarup Roy

... For the petitioner.

Mr. Ujjal Luksom,
Ms. Namrata Das

...For the State.

1. The Case Diary shows that the petitioner and the daughter of the de facto complainant were in a love relationship and the girl tried to commit suicide when the petitioner refused to marry her. The girl further states in the 164 statement that the petitioner's refusal to marry was caused by the opposition of his family members.
2. Since the charge-sheet has already been filed on 11th December, 2023, we do not find the necessity of the petitioner's custodial interrogation.

3. We accordingly 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, one of who must be local, to the satisfaction of the Arresting Officer and also comply with the conditions laid down under Section 438(2) of The Code of Criminal Procedure, 1973. The petitioner shall cooperate with the investigation and make himself available for questioning to the Investigating Officer once in a fortnight until further orders. The petitioner shall also not intimidate any witnesses or tamper with any evidence in any manner whatsoever.
4. The application for anticipatory bail being CRM (A) 171 of 2024 is allowed and disposed of in terms of the above.

(PRASENJIT BISWAS,J.)

(MOUSHUMI BHATTACHARYA,J.)