

03.03.2025

ML-12

Court No.26

(*Bail allowed*)

(AD)

CRM (DB) 4171 of 2024

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure as amended/ under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with POCSO Case No.10/2024 (C. Special Case No.10/2024) arising out of **Murshidabad** Police Station Case No.**182 of 2024** dated **14.03.2024** under Sections **363/365/342/313/120B/34** of the Indian Penal Code and Section **6** of the Protection of Children from Sexual Offences Act and charge sheet submitted under Sections **363/365/342/313/323/376(2)(n)/506/34** of the Indian Penal Code and Sections **6/17** of the Protection of Children from Sexual Offences Act, presently pending before the Learned Judge, Special Court, Lalbagh, Murshidabad.

-And-

In the matter of : Anikul Sk.

... ...Petitioner

Mr. Tapodip Gupta, Advocate

... for the petitioner

Mr. Madhusudan Sur, Ld. APP

Mr. Samarjit Balial, Advocate

... ...for the State

Ms. Afreen Begum, Advocate

... for the de facto complainant.

1. Co-accuseds surrendered voluntarily and are in custody.
2. Police filed charge sheet.
3. De facto complainant is represented.
4. We considered the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.
5. Such statement records that, she went away initially with the petitioner.
6. Materials placed on record do not suggest requirement of placing the petitioner in custody any further particularly

in view of the fact that, other co-accuseds surrendered voluntarily and are in custody and one accused is on bail.

7. In such circumstances, we grant bail to the petitioner.
8. Accordingly, we direct that the petitioner, namely, **Anikul Sk.**, 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 whom must be local, to the satisfaction of the **Learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad**, subject to conditions that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
9. In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail without further reference to this Court.
10. Accordingly, the prayer for bail of the petitioner is **allowed.**
11. **CRM (DB) 4171 of 2024** is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)