

25.09.2024
SL No.23
Court No.29
(gc)
(Allowed)

CRM (A) 3334 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 438 of the Criminal Procedure Code filed in connection with Gazole Police Station Case No.383 of 2024 dated 19.05.2024 under Sections 354A, 354D, 509 and 506 of the Indian Penal Code read with Section 12 of the POCSO Act, 2012.

And

In the matter of : **Benjamin Tudu**

- Petitioner.

Mr. Subir Banerjee,
Mr. Anupam Ghosh

....For the Petitioner.

Ms. Sreyashee Biswas,
Ms. Poulami Bose

... For the State.

Mr. Sauradeep Dutta

....For the De facto Complainant.

1. The affidavit-of-service filed in Court is taken on record.
2. The name of the de facto complainant wherever appearing in the petition shall be redacted immediately and redacted copy shall be uploaded in the Sarthak Portal after removing the petition already uploaded.
3. Considering the materials available in the case diary and the nature and gravity of the offence as alleged and, *prima facie*, it appears that the parties were known to each other and the nature of offence and, moreover, the charge-sheet has already been submitted, we are of the view that custodial interrogation of the petitioner is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioner namely, **Benjamin Tudu**, shall be released on bail upon furnishing a bond of Rs.5,000/-, 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 Cr.P.C., 1973 corresponding to Section 482(2) of the BNSS, 2023.

5. It is further directed that the petitioner shall appear before the learned Additional District & Sessions Judge, 2nd Special POCSO Court, Malda in connection with POCSO Case No.83 of 2024 within two weeks from date.
6. Accordingly, the application for anticipatory bail is disposed of.
7. 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.)