

26.09.2024
SL No.14
Court No.29
(gc)
(Allowed)

CRM (A) 3366 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Balurghat Police Station Case No.662 of 2024 dated 16.08.2024 under Sections 329(4)/324(4)/74/64/62/351(2)/3(5) of the Bharatiya Nyay Sanhita, 2023 read with Section 4/18 of POCSO Act, 2012.

And

In the matter of : **Sisir Hembram**

- Petitioner.

Ms. Sujata Das

....For the Petitioner.

Mr. Debabrata Chatterjee,

Ms. Sudeshna Das

... For the State.

Mr. Amit Ranjan Pati,

Ms. Swastika Chowdhury

....For the De facto Complainant.

1. Heard the learned Counsel for the parties.
2. Considering the materials available in the case diary, the statement of the victim recorded under Section 164 Cr.P.C. and the nature and gravity of the offence and also taking into consideration that the son of the de facto complainant and the sister of the present petitioner married to each other against the will of both the family members just two months before and also taking into consideration that there was some dispute between the newlywed couple, the possibility of a false implication cannot be completely ruled out, we are of the view that custodial interrogation of the petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest, the petitioner namely, **Sisir Hembram**, shall be released on bail upon furnishing a bond of Rs.10,000/-, 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 482(2) of the BNSS, 2023 and on further condition that the petitioner shall meet with I.O. once in a week till the submission of the final report.

4. It is also directed that the petitioner shall appear before the learned Judge, 2nd Court, Additional District Judge-cum-Special Court, Balurghat, Dakshin Dinajpur in connection with Special Case No.75 of 2024 within two weeks from date.
5. It is further directed that the petitioner shall not leave the jurisdiction of District Dakshin Dinajpur except for the purpose of meeting the I.O. and/or attending the Court without the express leave of the Special Court.
6. The report filed by the State is kept with the record.
7. Accordingly, the application for anticipatory bail is disposed of.
8. 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.)