

05.10.2024
AD-19
Court No.29
TN
(Allowed)

CRM (A) 3494 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Arambagh Police Station Case No. 482 of 2024 dated 21.08.2024 under Sections 137(2)/64(2)(m)/351(2) of the BNS, 2023, read with Section 6 of the POCSO Act, 2012.

And

In the matter of: **Shailen Samanta @ Sailen Samanta and another**

.... petitioners

Mr. Niladri Sekhar Ghosh,
Ms. Soupurna Chatterjee,
Mr. Sourav Mondal,
Ms. Labani Sikder,
Mr. Rony Mondal

....for the petitioners

Mr. Partha Pratim Das,
Mr. Abhinaba Mukherjee

....for the State

1. In spite of service, the *de facto* complainant is not represented.
2. Heard the learned counsel for the parties.
3. Considering the materials available in the case diary, the nature and extent of complicity of the present petitioners, who are parents of the principal accused Bhaskar Samanta and having regard to the nature of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure which does not directly implicate the present petitioners in the commission of any offence, we are of the view that custodial interrogation of the petitioners is not necessary.
4. Accordingly, we direct that in the event of arrest, the petitioners, namely, **Shailen Samanta @ Sailen Samanta** and

Jyotsna Samanta @ Jotshana Samanta respectively shall be released on bail upon furnishing a bond of Rs.5,000/- each, 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.

5. The petitioner no.1 shall meet the Investigating Officer once in a week till submission of the final report and the petitioner no.2 shall cooperate with the investigation.
6. It is further directed that the present accused petitioners shall appear before the learned Additional District and Sessions Judge, 1st Court, Arambagh, Hooghly cum learned Judge, Special (POCSO) Court, Arambagh, Hooghly within one week from date.
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.)