

11.11.2024
Sl. No.13
akd
[ALLOWED]

C. R. M. (A) 3690 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 30.09.2024 in connection with Taherpur Police Station Case No.212 of 2024 dated 26.04.2024 under Sections 363/365/34 of the Indian Penal Code and Section 6 of the POCSO Act.

And

In Re: ***Bijoy Das***

... .. Petitioner

Mr. Atis Kumar Biswas
Ms. Jyoti Agarwal

... .. for the petitioner

Mr. Sumanta Das
Mr. Bilash Tripathi

... .. for the de-facto complainant

Mr. Ranadeb Sengupta
Mr. Arup Sarkar

... .. for the State

1. It is submitted on behalf of the petitioner there was a romantic relationship between the parties. It is further submitted petitioner has been falsely implicated. Investigation is complete. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the de-facto complainant also opposes the prayer for anticipatory bail and submits victim had been forcibly kidnapped and raped.
4. We have considered the materials on record including the statement of the minor victim. She states she had conversation with the petitioner. Thereafter, petitioner took her to various places. They cohabited together. The tenor of the statement supports the submission of the petitioner that the parties were acquainted with each other from

before and there may have been a relationship between them. Petitioner is a young person. Investigation is complete. In such view of the matter, we are of the opinion custodial interrogation of the accused/petitioner is not necessary and he may be granted anticipatory bail however, subject to strict conditions.

5. Accordingly, we direct in the event of arrest, the accused/petitioner, namely **Bijoy Das**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner, while on bail, shall not enter the jurisdiction of Taherpur Police Station and shall provide the address where he shall presently reside to the Investigating Agency as well as the court below and shall report to the Officer-in-charge of the police station concerned within whose jurisdiction he shall presently reside once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)