

13.12.2024

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Allowed

C.R.M. (A) No. 4362 of 2024

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Ratua Police Station Case No. 588 of 2024 dated 30.10.2024 under Sections 137(2)/140(3)/3(5) of the BNS and added Section 6 of the POCSO Act.

And

In Re : Md. Josimuddin @ Jasimuddin petitioner

Mr. B. Bhattacharya
Mr. S. Pakrashy

.....for the petitioner

Mr. Joydeep Biswas
Mr. Atulya Sinha

....for the State

1. Learned Counsel for the petitioner submits there was a romantic relationship between two young persons.. He prays for anticipatory bail.

2. Learned Counsel for the State opposes the prayer for anticipatory bail.

3. Inspite of notice nobody appears for the victim.

4. We have examined statement of the victim. She stated she had eloped with the petitioner. Her statement supports the petitioner's submission of teenage romance. In this backdrop committing the petitioner to custody would not serve any worthwhile purpose. Accordingly, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the

satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita and on condition that he shall appear before the jurisdictional court and pray for regular bail within a period of four weeks from date.

6. The application for anticipatory bail is, thus, allowed.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)