

30.01.2024  
(D/L 94)  
Ct. No.1  
(Allowed)  
(SKB)

**CALCUTTA HIGH COURT  
IN THE CIRCUIT BENCH AT JALPAIGURI**

**C.R.M.(A) 63 of 2024**

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Dinhata Women P. S. Case No.67 of 2023 dated 10.07.2023 under Sections 448/323/324/427/354/34 of the Indian Penal Code adding Section 12 of the POCSO Act corresponding to POCSO Case No.17 of 2023.

In the matter of : Hasanur Islam and others

... Petitioners

Mr. Sudip Guha

... for the petitioners

Mr. Nilay Chakraborty,  
Ms. Sukanya Adhikary

... for the State

1. Heard learned Counsel for the parties.
2. Learned counsel for the State objects to release of the petitioners on anticipatory bail.
3. Considered the materials as placed by learned counsel for the parties. There is stated to be neighbour dispute between the parties prior to the occurrence and on the fateful day as alleged, the petitioners tried to assault the victim and also tried to tear her wearing apparels and made an attempt to press her throat.
4. Regard being had to the facts and submission, factum of permanent residence of the petitioners, nature of allegation and substantial progress in investigation, it is directed that each of the petitioner shall be released on

bail by the Arresting Officer in the event of their arrest in the POCSO Case No.17 of 2023 arising out of the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the conditions:

- i) Petitioners are directed to appear before the IO once in a week on the day and time fixed by the IO for the purpose of investigation till submission of Final Form.
  - ii) Petitioners shall not threaten, induce or coerce any witness of this case in any manner whatsoever during the currency of this order.
5. Within 21 days from today, petitioners are directed to appear before the IO along with server copy or certified copy of this order.
  6. Accordingly, the prayer for the anticipatory bail is allowed.
  7. The applications being CRM(A) 63 of 2024 is disposed of.
  8. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**