

02.12.2024
SI No.89
s.biswas
(Allowed)

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (A) 783 of 2024

In Re: An application for anticipatory bail under Section 482 of the BNSS corresponding to Section 438 of the Cr.P.C. in connection with **Sahebganj** Police Station Case No. **429/2024** dated **21.07.2024** under Section **108/3(5)** of the BNS read with Section **6** of the POCSO Act.

And

In Re: **Amal Chandra Roy and another**

... .. Petitioners

Mr. Ananda Paul

... for the petitioner

Mr. Nilay Chakraborty

Ms. Namrata Das

... .. for the State

1. Petitioners pray for anticipatory bail on the ground that there are no specific allegations against them.
2. Learned advocate for the de facto complainant is present before the court and submits that there is an allegation of abetment to suicide.
3. Learned counsel appearing on behalf of the State produces the case diary and opposes the prayer for anticipatory bail of the petitioners.
4. Considering the materials in the case diary and the alleged role played by the petitioners, we are of the view that custodial interrogation of the petitioners is not necessary and the benefit under Section 482 of the BNSS

corresponding to Section 438 of the Cr.P.C. can be extended to the petitioners to grant anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of equal amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS and on further condition that the petitioners shall meet the investigating officer once in a week until further orders.
6. The application for anticipatory bail is, thus, disposed of.

(Partha Sarathi Chatterjee, J.)

(Shampa Sarkar, J.)