

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

**CRM (A) 865 of 2024**

In Re: - An application for anticipatory bail under section 438 of the Code of Criminal Procedure, 1973/Section 482 of the B.N.S.S. 2023, in connection with **Phansidewa** Police Station Case No.**44 of 2024** dated **11.02.2024** under Sections 6/17 of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: **Distikin Mohammad @ Mohammad Dastagir @ Md. Dastagir.**

....Petitioner.

Mr. Subham Ghosh,  
Mr. Mayank Roy

...for the Petitioner.

Mr. Aditi Shankar Chakraborty,  
Mr. Biswarup Roy

... for the State.

1. The petitioner prays for anticipatory bail on the ground that there are no specific allegations against him. He submits that in view of the above fact, the benefit of Section 482 of the B.N.S.S. should be extended in favour of the petitioner.
2. Learned advocate for the State vehemently opposes the prayer for bail and submits that the petitioner abetted the principal offender in commission of offence.
3. Heard the learned advocate for the respective parties. Perused the case diary and other materials. It appears that charge-sheet has been submitted. The main allegation is directed against the principal accused person, namely, Md. Sabul.
4. Considering the materials on record, the alleged role played by the petitioner and also the fact that the charge-sheet has been submitted, we are of the view that custodial interrogation will not serve any

purpose. 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 equal amount each, to the satisfaction of the learned Special Judge, under the POCSO Act, Siliguri. The petitioner shall appear before the jurisdictional court on the dates fixed. The petitioner shall not enter the jurisdiction of Phansidewa police station till the conclusion of trial.

5. The application for anticipatory bail, being CRM (A) 865 of 2024 is, thus, disposed of.
6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Shampa Sarkar, J.)**

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