

05.02.2025  
Sl. No.48  
tkm

**C. R. M. (A) 202 of 2025**

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak Police Station Case No.400 of 2024 dated 3.4.2024 under Section 109 IPC read with section 6 of POCSO Act

And

In Re: **Md. Eklemur Hoque @ Eklemur Hoque & Ors.**

... .. Petitioners

Md. Wasim Akram  
Ms. Sabrina Parveen

... .. for the petitioners

Mr. Pravas Bhattacharya  
Mr. Mainak Gupta

... .. for the State

1. Petitioners contend instant case is a counter-blast to an earlier case registered against the live-in partner of the victim. Co-accused Mohibur Rahaman has been granted pre-arrest bail.
2. Learned lawyer for the State opposes the prayer. It is alleged petitioner no. 1 had raped the victim.
3. We have considered the materials on record. An earlier criminal case was registered by the niece of petitioner no. 1 against the live-in partner of the victim alleging rape. In view of the fact the present case may have been registered as a counter-blast due to prior enmity co-accused has been granted anticipatory bail. Petitioners are entitled to similar relief.
4. Accordingly, we direct that in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs. 10,000/- each 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 BNSS 2023 and on further condition that the petitioners while on bail shall stay outside the jurisdiction of Kaliachak P.S except for the purpose of reporting to the officer in charge, Kaliachak PS once in a week until further orders and shall provide the address where they shall presently reside to the said officer and the jurisdictional court.

5. Petitioners shall appear before the jurisdictional court and pray for regular bail within four weeks from date.
6. The application being CRM (A) 202 of 2025 is disposed of.

**(Subhendu Samanta, J.)**

**(Joymalya Bagchi, J.)**