

17.03.2025

DL-57
(AD)
(Partly
Allowed)

C.R.M. (A) 846 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with C. Special Case No.07/2025 arising out of **Domkal** Police Station Case No.**30 of 2025** dated **10.01.2025** under Sections **137(2)/140(3)/303(2)/62/65(1)/74/3(5)** of the Bharatiya Nyaya Sanhita, 2023 read with Sections **8/12** of the Protection of Children from Sexual Offences Act, presently pending before the Learned Judge, Special Court, under POCSO Act, at Berhampore, Murshidabad.

And

In the matter of: **Anita Das & Ors.**

....petitioners.

Mr. Tapodip Gupta, Advocate

...for the petitioners.

Ms. Faria Hossain, Ld. APP

... for the State.

1. **C.R.M. (A) 846 of 2025** is dismissed as against the petitioner no.3, namely, Rakesh Das @ Bijay, since he stands arrested.
2. The other two petitioners before us are the neighbour and the sister of the principal accused that is the petitioner no.3.
3. The victim recorded her statement under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 where she claims that, she was given in marriage to the petitioner no.3. She described the role played by the petitioner nos.1 and 2 therein.
4. There is a delay in the lodgment of the First Information

Report.

5. The date of the incident is on November 19, 2024 while the complaint was lodged on January 10, 2025.
6. Considering the fact that the principal accused is in custody and considering the role played by the petitioner nos.1 and 2 before us in the incident, we grant anticipatory bail to the petitioner nos. 1 and 2, namely, Anita Das and Chumki Das.
7. Accordingly, we direct that in the event of arrest, the petitioner nos.1 and 2 shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on condition that the petitioner nos.1 and 2 will cooperate with the investigation till the conclusion of the investigation and on condition that the petitioner nos.1 and 2 shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner nos.1 and 2 in Court including cancelling the anticipatory bail granted without further reference to this Court.
8. Accordingly, the prayer for anticipatory bail of the petitioner nos.1 and 2, namely, Anita Das and Chumki Das is allowed.

9. **C.R.M. (A) 846 of 2025** is, thus, disposed of.

(Debangsu Basak, J.)

(Smita Das De, J.)