

05.05.2025
Court No.28
Item No.104
ssi

CRM (A) 1034 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with English Bazar PS Case No.**619 of 2024** dated **17.05.2024** under Sections **363/365** of the Indian Penal Code and Section 6 of the POCSO Act.

And

In the matter of: **Tarikul Islam**

....Applicant/Petitioner.

Mr. Kazi M. Rahman

...for the petitioner

Mr. Amati Gaur, Sr. Govt.Adv
Md. Zubair Alam

..for the State

Mr. Pravas Bhattacharya

..for the o.p. no.2

Although during investigation, the minor victim had made a statement implicating the present petitioner, subsequently she took a different stand. On 04.04.2025, it was submitted on behalf of the victim that there was a love affair between the minor girl and the prime accused. They fled away from their home and the two intend to get marriage, once the victim attained appropriate age.

Subsequently, a further statement of the minor victim has been recorded before the learned Magistrate on 11.04.2025. In the statement, she stated before the Magistrate that she had eloped with the petitioner on her own volition and that the matter has been settled and after attaining marriageable age, the two would get married.

Considering the nature of allegations and the subsequent statement of the victim recorded before the learned Magistrate, I do

not think that custodial interrogation of the petitioner is required in this case. .

Accordingly, the prayer for anticipatory bail to the petitioner is allowed.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, 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, 2023 and on further conditions that the petitioner shall not threaten or intimidate witnesses and the petitioner shall meet the I.O. once a fortnight till submission of report in final form. The petitioner shall cooperate with investigation.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)