

07.04.2025
Court No.28
Item No.8
tbsr
Allowed

CRM (A) 1114 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Goghat** P.S. Case No. **10 of 2025** dated **07.01.2025** under Sections **108/238(c)/64(2)(m)** of the Bharatiya Nyaya Sanhita, 2023 and 6(1) Protection of Children from Sexual Offences Act, 2012 (POCSO).

And

In the matter of: **Barun Bar & Ors.**

....Petitioners.

Mr. Niladri Sankar Ghosh

Ms. Sompurna Chatterjee

...for the petitioners.

Mr. Bitashok Banerjee

Mr. Karan Bapuli

.....for State

Mr. Mujibar Ali Naskar

....for the de facto complainant

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the relatives of the de facto complainant. The victim had a relationship with the principal accused. After the suicide of the victim the de facto complainant found certain pictures in the victim's phone as proof of such relationship. The principal accused was granted anticipatory bail by a Division Bench of this Court.

Learned counsel appearing on behalf of the de facto complainant submits that he does not have any allegations against the present petitioners.

Learned counsel appearing on behalf of the State submits that during investigation, it transpired that the present petitioners in spite

of being relatives of the victim did not want post mortem to be done on the dead body of the victim. Charge sheet has been submitted.

Considering the nature of allegations and materials available in the case diary, especially vis-a-vis the present petitioners, I am inclined to allow the application for anticipatory bail.

Accordingly, I 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, 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 condition that the petitioners shall not threaten the witnesses.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)