

25/07/2025

D/L 37

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 2206 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Baguati P.S. case no. 351 of 2025 dated 29.5.2025 under sections 8/12 of the POCSO Act.

In the matter of: Mustak @ Md. Mostak Ahamed Sahajee

... Petitioner

Mr. N.S. Ghosh

Mr. M. Nazar Chowdhury

Mr. F. Rais

...for the petitioner.

Mr. Bitasok Banerjee

Mr. Sanjid Sultana

...for the State.

1. It appears that an inadvertent typographical error had crept into the order dated 15.7.2025 passed by this Court.
2. At the last line of the said order the date was wrongly written as "25th June, 2025" instead of "25th July, 2025".
3. The Department is directed to make necessary correction in this regard and the remaining portion of the order dated 15.07.2025 shall remain unchanged.
4. Report filed on behalf of the State regarding service of notice upon the de-facto complainant is taken on record.
5. Heard the learned counsels for the parties.
6. Perused the case diary.

7. Considering the delay in lodging of the FIR and the exonerative statement made by the minor victim girl, I am inclined to grant anticipatory bail to the petitioner.
8. In the event of arrest, the petitioner 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 further conditions that the petitioner shall cooperate with the investigation and the petitioner shall not threaten or intimidate witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
9. Accordingly, the application for anticipatory bail is allowed.
10. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)