

01.08.2025
Court No.28
Item No.34
tbsr
Allowed

CRM (A) 2380 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Karaya** P.S. Case No. **155 of 2024** dated **03.07.2024** under Section **61, 79, 351, 118(1), 74, 76 & 75** of the Bharatiya Nyaya Sanhita, 2023 and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: AAA & Ors.

....Petitioners.

Mr. Ayan Bhattacharyya, Sr. Adv.
Mr. Daanish Haque
Mr. Abdul Zahid
...for the petitioners

Ms. Subhashree Patel
Ms. Sanjida Sultana
....for the State

Mr. Abhimanyu Banerjee
Mr. Arnab Saha
....for the de-facto complainant

Heard the learned counsels for the petitioners, the de facto complainant and the State.

It appears that the statement of the minor victim girl has not been recorded before a learned Magistrate although the victim is aged about 12 years. Only her mother's statement is there. Moreover, this appears to be a counter case in respect of a case that was started over continuous transactions.

Considering the above and in view of the fact that the principal accused is not before this Court, I am inclined to grant anticipatory bail to the petitioners.

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 meet the I.O. once a week till submission of charge sheet and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)