

16.09.2025
Court No.28
Item No.23
ssi

CRM (A) 2497 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Bhagwangola PS Case No.**553 of 2023** dated **10.11.2023** under Sections 363/365 of the Indian Penal Code read with Section 6 of the POCSO Act.

And

In the matter of: **Alam Sk.**

....Applicant/Petitioner.

Mr. Niladri Sekhar Ghosh

...for the petitioner

Mr. Partha Pratim Das

Mr. Subhasish Datta

...for the State

Ms. Trina Mitra

...for the victim

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and the alleged victim, who are now a major, have got married and are living peacefully as husband and wife together.

Learned counsel appearing on behalf of the alleged victim also submits that the victim had gone away voluntarily with the petitioner and thereafter got married. They are staying happily together.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he relies on the subsequent statements of the victim as well where the alleged victim indicated that she had voluntarily got married and did not want the accused to be punished.

Considering the above and the earlier exonerative statements of the victim made before the learned Magistrate, I do not think that custodial interrogation of the petitioner is required and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

However, 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 co-operate with investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O. once a fortnight till submission of report in final form.

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

(Jay Sengupta, J.)