

11.08.2025
Item No.24
Ct. No. 446
RP
Allowed

C.R.M.(A) 2745 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Barrackpore** Police Station Case No. **60** of **2025** dated **23.06.2025** under Sections **329(4)/324(4)/115(2)/74/3(5)** of the Bharatiya Naya Sanhita read with Section **12** of POCSO Act.

And

In the matter of : XXXX & Ors.

..... petitioners

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
....for the petitioners

Mr. Husen Mustafi
Ms. Suhana Parveen
....for the De facto complainant

Ms. Manisha Sharma
Ms. Rita Dutta
....for State

1. Heard the submissions of both the learned advocates as well as the learned advocate appearing for the de facto complainant.
2. Perused the material available in the case diary as well as the statements made by the victim under Section 183 of BNSS and various other statements made under Section 180 of BNSS coupled with the contents of FIR. Moreover, a family feud is going on between the parties. Considering the nature of allegation and the fact that the principal accused was arrested and enlarged on bail, this

Court is of the view that custodial interrogation of the petitioners is not necessary.

3. Accordingly, this Court is inclined to grant anticipatory bail to the petitioners subject to fulfillment of certain conditions other than compliance of the conditions laid down in Section 482(2) BNSS.
4. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.5,000/- (Rupees Five Thousand only) 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 482(2) of the BNSS and in case of violation of any of such provision the prosecution will be at liberty to pray for cancellation of anticipatory bail granted without further reference to this Court.
5. This application for anticipatory bail is, thus, disposed of as allowed.

(Chaitali Chatterjee (Das), J.)