

14.11.2025
Sl. No.14
NB

CRM (A) 2966 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 Tehatta PS Case No.586/2025 dated 31.07.2025 under Sections 318(2)/64/61(2)/85/115(2) of the Bharatiya Nyay Sanhita, 2023 and Section 4 of the POCSO Act, 2012.

And

In the matter of: XXX & Anr.

... petitioners

Mr. Rajdeep Majumder Sr.Adv.,
Mr. Amanul Islam,
Mr. Sourav MUKherjee,
Ms. Triparna Roy.
...for the petitioners.

Mr. Tapas Kr. Saha.
...for the State.

Mr. Jaydip Biswas,
Mr. Asraf Mondal,
Mr. Tanbir Mondal.
...for the de facto complainant.

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

As per the subsequent statement of the alleged victim made before a Magistrate and according to the submissions as advanced on behalf of the petitioners and the de facto complainant, the disputes have been settled between the private parties and the accused petitioner no.1 has got married to the de facto complainant and both are living peacefully in the house of the petitioners.

Considering the above and the materials available in the case diary, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the present petitioners.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner no.1 shall meet the Investigating Officer once a fortnight till submission of report in final form.

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

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)