

29.10.2025
Court No.28
Item No.40
ssi

CRM (A) 3247 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Banshihari PS Case No.**228 of 2025** dated **09.06.2025** under Sections 64 (1)/127 (2)/115(2)/351 (3)/3(5) of the BNS, 2023 and Sections 6 and 12 of the POCSO Act.

And

In the matter of: **Jarifaddin Miah & others.**

....Applicants/Petitioners.

Mr. Biswajit Manna

...for the petitioners

Mr. S. S. Imam

Mr. Atanu Ghosh

...for the State

Affidavit of service filed on behalf of the petitioners is taken on record.

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the parents and the younger brother of the principal accused. The principal accused was arrested and thereafter granted bail. Charge sheet has been submitted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statement of the victim girl aged about 17 years made before the learned Magistrate. The injury report, however, does not show any external injury.

Considering the materials available in the case diary, the alleged roles ascribed to the present petitioners, the fact that the principal accused was arrested and was, thereafter, granted bail and that

charge sheet has been submitted in this case, I am inclined to grant anticipatory bail to the petitioners.

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

However, 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 not threaten or intimidate the witnesses.

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

(Jay Sengupta, J.)