

11.11.2025
Sl. No.50
Ct. 28
NB

CRM (A) 3355 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 Santipur PS Case No.1104/25 dated 26.08.2025 under Sections 69/351(2)(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the Protection of Children From Sexual Offences (POCSO) Act, 2012.

And

In the matter of: Bikram Sarkar ... petitioner

Mr. Mrityunjoy Chatterjee,
Mr. Susnigdho Bhattacharya.
...for the petitioner.

Mr. S. S. Imam,
Mr. Sujoy Sarkar.
...for the State.

Ms. Sarmistha De
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits that a relationship between the victim and the petitioner had turned sour, which led to the registration of the FIR. Now, the said disputes had been settled between the private parties and they are supposed to get married soon.

Learned counsel appearing on behalf of the de facto complainant supports such contentions of the petitioner and submits that the alleged victim does not have any objection if anticipatory bail is granted to the petitioner.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statements

of witnesses including that of the victim recorded before the learned Magistrate.

Considering the materials available in the case diary and the submissions advanced on behalf of the private parties, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, 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 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 petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer as and when required.

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.)