

16.10.2025
Item no. 22.
Court No.6.
AB
(Allowed)

CRM (A) 3487 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tehatta Police Station Case No.351 of 2024 Dated 16.05.2024 under Section 448/323/325/354(B)/349 of the Indian Penal Code read with Section 6 of the POCSO Act

And

In the matter of : Anarul SekhPetitioner.

Mr. Joydeep Biswas,
Mr. Asraf Mondalfor the Petitioner.

Ms. Shaila Afreen,
Ms. Snigdha Sahafor the State.

1. Affidavit of service filed in Court today be kept with the records. In spite of service, none appears on behalf of the victim.
2. Heard learned Counsel appearing for the parties and perused the materials available in the case diary.
3. Having heard the Learned Counsel for the petitioner and also taking into consideration the objection of the State Counsel, I find that there is a serious enmity between the two families. The allegation of attempt to commit rape is not substantiated by the medical evidence. Hence, the possibility of false criminal prosecution cannot be ruled out.
4. In view of the above, the prayer for anticipatory bail stands allowed.

5. Accordingly, in the event of arrest, the petitioner, namely **Anarul Sekh** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall meet the Investigating Officer once a week and shall not enter the jurisdiction of the police station where the victim girl resides until further order.
6. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
7. The application for anticipatory bail stands allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

