

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3975 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Arambagh** Police Station Case No. **482/2024** dated **21.08.2024** under Sections **137(2)/64(2)(m)/351(2)/** of the BNS, 2023 and Section **6** of the **POCSO** Act.

And

In the matter of: - **Bhaskar Samanta @ Bhaskur.** ...petitioner.

Mr. Niladri Sekhar Ghosh,
Mr. Sourav Mondal,
Ms. Sompurna Chatterjee ...for the petitioner.

Mr. Bibaswan Bhattacharya,
Mr. Sobhan Gani ...for the State.

Dictated by Arijit Banerjee, J.

1. Service report filed by the State be kept with the records. In spite of service, nobody appears for the *de-facto* complainant / victim.
2. The petitioner says that he has been falsely implicated. The victim girl on her own volition left with him and stayed with him for quite some time. Then, she returned to her parental house. However, the locals apparently sent her back to the petitioner's house. The petitioner says that investigation is complete. The

charge-sheet has been submitted. His further custodial detention is not necessary

3. Opposing the prayer for bail, learned State advocate draws our attention to the statement of the victim girl recorded under Section 164 Cr.P.C. She supports the version of the petitioner recorded above.
4. In view of the aforesaid and in view of investigation having been completed, we are of the view that further custodial detention of the petitioner is not necessary.
5. Accordingly, we **allow** the petitioner's prayer for bail.
6. Accordingly, we direct that the petitioner, namely, **Bhaskar Samanta @ Bhaskur** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned *Judge, Special Court, POCSO Act, Arambagh, Hooghly*. The petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall not enter the territorial jurisdiction of *Arambagh* Police Station except for the purpose of attending court proceedings, until further orders. The petitioner shall report/meet to the Officer-in-Charge/Inspector-in-Charge of *Arambagh* Police Station once in every fortnight and shall inform the Investigating Officer

about his current local address where he will be residing while on bail, until further orders.

7. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this court.
8. The application for bail being CRM (DB) 3975 of 2024 is, thus, disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
10. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Ajay Kumar Gupta, J.)