

06.01.2025
Sl. No.12
akd
[ALLOWED]

C. R. M. (A) 4572 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 18.12.2024 in connection with Pukhuria Police Station Case No.630 of 2024 dated 10.11.2024 under Sections 137(2)/140(2) of the Bharatiya Nyaya Sanhita, 2023 read with Section 8 of the POCSO Act.

And

In Re: **Basir @ Basir Ali**

... .. Petitioner

Mr. Soupal Chatterjee

... .. for the petitioner

Mr. Anindya Ghosh
Mr. Pronojit Roy

... .. for the de-facto complainant

Mr. Atif Ahmed Siddiqui

... .. for the State

1. Heard learned Advocates for the respective parties.
2. We have considered the materials on record. Petitioner is the uncle of the principal accused. Principal accused has been enlarged on regular bail. Petitioner is not named in the statement of the victim before Magistrate. Under such circumstances, we are of the opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.
3. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, **Basir @ Basir Ali**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)