

06.01.2025
Sl. No.13
akd
[ALLOWED]

C. R. M. (A) 4577 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 Kandi Police Station Case No.490 of 2024 dated 17.10.2024 under Sections 329(4)/64(2)(m) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act. (G.R. Case No.1722 of 2024)

And

In Re: ***Soumit Das @ Samit Das @ Toton***

... .. Petitioner

Mr. Sourav Chatterjee .. Sr. Advocate
Mr. Tapodip Gupta

... .. for the petitioner

Ms. Ipsita Ghosh

... .. for the de-facto complainant

Ms. Shaila Afrin
Mr. Akash Ganguly

... .. for the State

1. It is submitted on behalf of the petitioner there was a romantic relationship between the parties for the last three years. It is further submitted petitioner has been falsely implicated. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail.
3. Learned Advocate for the de-facto complainant also opposes the prayer for anticipatory bail. She submits victim is a minor.
4. We have considered the materials on record including the statement of the minor victim. In her statement she admits there was a marriage proposal from the petitioner's end. This corroborates the defence case there was a romantic relationship between two young persons. Keeping in mind these peculiar circumstances, we are of the

opinion custodial interrogation of the petitioner is not necessary and he may be granted anticipatory bail.

5. Accordingly, we direct in the event of arrest, the accused/petitioner, namely, ***Soumit Das @ Samit Das @ Toton***, 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.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)