

07.01.2025
16.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 4629 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Berhampore Police Station Case No. 1344/2024 dated 10.09.2024 under Sections 137(2)/140(3)/3(5) of BNS with Section 6 of POCSO Act (POCSO Case No. 175/2024)

And

In Re: **Muktar Sk @ Mukhtar Shaikh and Anr.**

..... Petitioners

Mr. Tapodip Gupta.

... .. for the petitioner

Mr. Prasun Kr. Dutta, Id. A.P.P

Mr. Tirthankar Dhali.

... .. for the State

1. Petitioners contend there was romantic relationship between petitioner no. 1 and the victim. They have been falsely implicated. Accordingly, they pray for anticipatory bail.

2. Learned Advocate for the State opposes the prayer for anticipatory bail.

3. Nobody appears for the victim.

4. We have considered the materials on record. Victim stated petitioner had taken her to his residence. She was at his residence for some days. Then her parents lodged FIR. There is no allegation that petitioner had raped her.

5. In view of the aforesaid circumstances and in light of the submission i.e. there was romantic relationship between the young persons, we are inclined to grant anticipatory bail to the petitioners.

6. Accordingly, we direct that in the event of arrest, the petitioners viz., **(1) Muktar Sk @ Mukhtar Shaikh** and **(2) Nabab Sk @ Mohd. Nawab Shaikh** be released on bail upon furnishing a bond of Rs.10,000/- each, 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. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

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

(Gaurang Kanth, J.)

[Joymalya Bagchi, J.]