

07.01.2025
24.
Ct. No. 28
SG
[ALLOWED]

C. R. M. (A) 4646 of 2024

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Joynagar Police Station Case No. 559/2024 dated 12.07.2024 under Sections 137(2)/140(3) of BNS and charge sheet submitted under Sections 137(2)/140(3)/351(3) of BNS with Section 6 of POCSO Act.

And

In Re: **Rabiul Gazi.**

..... Petitioner

Mr. Shashanka Shekhar Saha.

..... for the petitioners

Mr. R.D. Nandy.

Mr. Md. Kutubuddin.

..... for the State

1. Petitioner contends there is a romantic relationship between the parties. He has been falsely implicated. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State opposes the prayer for anticipatory bail and submits victim is a minor.
3. We have considered the materials on record including the statement of the minor victim. She stated petitioner took her to a pleasure spot. They resided there for a day and petitioner did bad work. Tenor of her statement corroborates the submission that there was a romantic relationship between two young persons.
4. Keeping in mind these peculiar circumstances, we are of the opinion custodial interrogation for progress of investigation is not necessary and petitioner may be granted anticipatory bail.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Rabiul Gazi** 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 also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. He 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.]