

30.01.2025.
Sl. No.11.
Ct. No. 1
SG

IN THE HIGH COURT AT CALCUTTA
Circuit Bench At Jalpaiguri

C.R.M. (A) 41 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj P.S. Case No. 662 of 2024 dated 18.11.2024 under Section 351(3) of BNS with Section 8 of POCSO Act.

And

In the matter of : **Sibin @ Shiben Barman.**

... Petitioner.

Mr. Sudip Guha.

...for the petitioner.

Mr. Nilay Chakraborty, ld. A.P.P.

Mr. Biswarup Roy.

...for the State

1. Petitioner submits there is a long standing civil dispute 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.

3. In spite of notice nobody appears for the *de facto* complainant.

4. We have considered the materials on record. It is alleged petitioner is neighbor. He took advantage of the absence of the *de facto* complainant in the house and molested the minor. It is contended petitioner has been falsely implicated due to civil disputes.

4. Keeping in mind the aforesaid facts, we are of the opinion though custodial interrogation may not be necessary,

movement of the petitioner requires to be restricted in order to instill confidence in the mind of the victim and other witnesses.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Sibin @ Shibeen Barman** 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 and on further condition petitioner while on bail shall not enter the jurisdiction of Sahebganj Police Station except for the purpose of attending court proceeding and provide address where he shall presently reside to the investigating agency and to the trial Court and shall report to the Officer-in-Charge of the police station concerned where he shall presently reside once in a week until further orders. 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.)