

31.01.2025
Ct. No. 1
Sl. No.10
akd
[ALLOWED]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (A) 44 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 07.01.2025 in connection with Matigara Police Station Case No. 489 of 2024 dated 16.08.2024 under Section 6 of the POCSO Act.

And

In Re: **Debasish Sarkar**

... .. Petitioner

Mr. Subham Ghosh
Mr. Mayank Roy

... .. for the petitioner

Mr. Ujjwal Luksom
Ms. Namrata Das

... .. for the State

1. Heard the learned Advocates for both the parties.
2. We have considered the materials on record. Statement of the victim is exonerative in nature. Learned Advocate for the State submits victim is a minor. However, materials on record show there was free mixing between two young persons. In these peculiar facts and circumstances, we are of the opinion no worthwhile purpose will be served in committing the petitioner to custody.
3. Accordingly, we direct in the event of arrest, the petitioner, namely **Debasish Sarkar**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) 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 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.)