

34. 09.04.2025
Court
No.1 (Papiya)

Allowed

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

CRM (A) 136 of 2025

In Re: - An application for anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Boxirhat Police Station Case No. 59 of 2025** dated **08/02/2025** under Sections **126(2)/115(2)/351(2)(3)/3(5)** of the Bharatiya Nyaya Sanhita Act, 2023 and read with Sections 8/17 of Protection of Children of Sexual Offences Act.

And

In the matter of: - **Chiran Das @ Chiranjit Das & Ors.**

...petitioners.

Mr. Sudip Guha, Adv.

...for the petitioners.

Mr. Nilay Chakraborty, Adv.

Mr. Dhiman Sil, Adv.

Mr. Tapan Bhattacharjee, Adv.

...for the State.

1. The petitioners says that they are neighbours of the prime accused namely Totan Das, who was a juvenile at the time of the alleged incident. Totan has been granted bail by the Juvenile Justice Board. The petitioners pray for anticipatory bail.
2. I have seen the statement of the victim girl recorded under Section 164 Cr.P.C. She does not implicate these petitioners at all. The only allegation is against Totan Das.
3. In view of the aforesaid, although charge sheet is yet to be filed, I am of the view that immediate custodial interrogation of the petitioners is not necessary so long as they cooperate with the Investigating Officer.

4. Hence, I am inclined to **allow** his prayer for anticipatory bail.
5. Accordingly, in the event of arrest, the petitioners, namely, **Chiran Das @ Chiranjit Das, Prashanta Das and Subrata Kungar**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, until further orders and on further condition that the petitioner shall meet the Investigating Officer of this case once in a fortnight and as and when call for, until further orders. Within seven days from date, the petitioner shall go and meet the Investigating Officer of the concerned police station.
6. The application for anticipatory bail being CRM (A) 136 of 2025 is, thus, **allowed** and disposed of.
7. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)