

18.06.2025
Item no. 55.
Court No.2.
Rakib
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 366 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Boxirhat Police Station FIR No. 141 of 2025 Dated 07.04.2025 under Sections 329(4)/126(2)/351(2)(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 8/12 of the POCSO Act.

And

In the matter of : Sukumar Das & Anr.

.....Petitioners.

Mr. Satarudriya Mukherjee,
Ms. Tannu Agarwal.

.....for the Petitioners.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Biswarup Roy.

.....for the State.

Learned advocate appearing for the petitioners submits that the petitioners are innocent of the charges and they have been falsely implicated in connection with the instant case for extraneous reasons. There are hardly any connection between the petitioner no.1 and the de-facto complainant. However, there could have been a relationship which subsequently has been distorted for foisting a criminal case. Learned advocate therefore prays that on any stringent conditions petitioners may be granted anticipatory bail.

Learned advocate appearing for the State has produced the Case Diary.

I have perused the statement under Section 164 of the Code of Criminal Procedure and the nature of the accusations. The nature of the accusations do not warrant any support of medical documents, as such the medical document was not taken into consideration. Having regard to the nature of the accusations made, I am of the view that the petitioners should be granted the privilege of anticipatory bail.

As such, I direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Twenty thousand only) each, with two sureties of like amount each, one of whom must be local to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

The order of anticipatory bail will remain in force for a period of four weeks from date. The petitioners shall not enter into the jurisdiction of Boxirhat Police Station without the permission of the Officer-in-Charge of Boxirhat Police Station till they surrender before the Court and in case the petitioners surrender or appear before the Court they would seek leave of the learned Special Court before entering the jurisdiction of Boxirhat Police Station.

Accordingly CRM (A) 366 of 2025 is **allowed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)