

06.02.2026
Court No.28
Item No. 7
tbsr
Allowed

CRM (A) 4340 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kaliachak** P.S. Case No. **1891 of 2025** dated **07.11.2025** under Section **69** of the BNS and Section 4 of the POCSO Act.

And

In the matter of: Sahid Sk. @ Md. Sarif Sk.

....Petitioner.

Mr. Arup Kumar Bhowmick

....for the petitioner

Mr. Imran Ali

Ms. Ankita Paul

....for the State

Mr. Dhananjoy Banerjee

Mr. Partha Sarathi Mishra

....for the victim/de facto complainant

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that while the victim was aged about 17 years and 8 months, the petitioner was aged about 20 years. There was a relationship between the two. In fact, now there is a talk of marriage going on.

Learned counsel appearing on behalf of the de facto complainant submits that there is a talk of marriage going on between the private parties and marriage may take place once both attain the age of marriage.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the witnesses including the statements of the victim before the learned Magistrate which is, however, exonerative in nature.

Considering the above and the materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioner shall cooperate with investigation, meet the I.O. once a week till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)