

12.08.2026

Item No.293

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (A) 976 of 2026

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kharagpur (L) Police Station Case No. 126 of 2026 dated 07.02.2026 under Sections 85/115(2)/64(1) of the Bharatiya Nyaya Sanhita, 2023 (G.R. Case No. 378/2026).

And

In Re : **Petitioner Vs. The State of West Bengal & Anr.**

Mr. Rajdeep Biswas,
Mr. Koushik Dey,
Mr. Chitrak Biswas

... For the Petitioner.

Mr. Lokesh Sharma,
Mr. Rishav Kumar Thakur

... For the State.

Learned advocate appearing for the petitioner submits that petitioner is cousin brother-in-law who has been implicated in the instant case on the accusation of rape. It has been pointed out that as per the FIR, 13 persons have been arraigned as accused in a matrimonial dispute. Learned advocate submits that the present petitioner is innocent and as such, any encroachment upon his liberty would cause a social harassment.

Learned advocate appearing for the State, on the other hand, opposes the prayer for anticipatory bail and draws the attention of the Court to the statement of the victim recorded under Section 183 of BNSS.

I have taken into account the materials appearing in the case diary and I find that the case was initiated pursuant

to a direction under Section 175(3) of the BNSS being passed. It has been categorically stated in the said application that on 22.12.2025, father of the informant had been to the local police station and no case was registered and he was referred to the court, pursuant to which this case has been registered. Having regard to the nature of the accusations, the genesis of the dispute as also the medical report which has been enclosed, I am of the opinion that although a case for investigation may have been made out, but custodial detention of the present petitioner in connection with the instant case is unwarranted in the facts of the case. As such, the prayer for anticipatory bail of the petitioner is **allowed**.

Accordingly, in the event of arrest, the petitioner shall be released on bail to the satisfaction of the Arresting Officer on such terms and conditions as he deems fit and proper 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 Bharatiya Nagarik Suraksha Sanhita, 2023.

As the investigation of the case is still in progress, the petitioner, within a period of ten days from date, shall make himself available before the Investigating Officer of the case and thereafter, the Investigating Officer of the case, if required, would fix subsequent dates for presence of the petitioner for the sake of investigation.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

The application for anticipatory bail, being CRM (A) 976 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)