

24.08.2026

Item No. 20

Ct. No. 39

AN

(PARTLY)

(ALLOWED)

C.R.M.(A) 2033 of 2026

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Tapan Police Station Case No. 139 of 2026 dated 28.03.2026 under Sections 137(2) / 140(3) / 126(3) / 115(2) / 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act read with Section 9/10 of the Prohibition of Child Marriage Act, 2006 corresponding to Special POCSO Case No. 32 of 2026 now pending before the learned Additional Chief Judicial Magistrate, Gangarampur at Buniadpur, Dakshin Dinajpur at Balurghat.

In the matter of : **Anil Singh @ Sing & anr.**

... Petitioner.

Mr. Kaushik Choudhury

Mr. Dwaipayan Panda

...for the Petitioner.

Mr. Kalidas Saha

Mr. Pritom Banerjee

...for the State.

1. Learned advocate representing the State submits that his name has not been recorded in the last order dated 18th August, 2026. Let his name be recorded in the said order as the representing advocate on behalf of the State.
2. Learned advocate appearing for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Petitioner no. 1 is the father and petitioner no. 2 is the brother of the principal accused. They are in no way connected with the present case. He prays for anticipatory bail for the petitioners on any terms and conditions.

3. The victim girl is present in Court today. She opposes the prayer for anticipatory bail for the petitioners.
4. On the other hand, learned advocate representing the State produces the case diary, the memo of evidence and relies on the recorded statements of victim and other witnesses and opposes the prayer for anticipatory bail of the petitioners.
5. Having heard the learned advocates for the respective parties and upon perusing the materials available on record, the case diary including the statement recorded under Section 180 of the BNSS, 2023, this Court finds that there is no specific allegation against the petitioner no. 1, the father of the principal accused and thus the prayer for anticipatory bail of petitioner no. 1 is considered and **allowed**. So far as petitioner no. 2 is concerned, this Court is not inclined to grant anticipatory bail in favour of petitioner no. 2 as there is sufficient material against him and hence prayer for anticipatory bail of petitioner no. 2 stands **rejected**.
6. In such view of the matter, this Court does not find any necessity for custodial interrogation/detention of the petitioner no. 1.
7. Accordingly, in the event of arrest, the petitioner no. 1, namely, Anil Singh @ Sing shall be released on bail to the satisfaction of the arresting officer on the terms and

conditions as he deems fit and proper and also subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. In the event the petitioner no. 1 fails to comply with the conditions as imposed by this Court, the prosecution shall be at liberty to pray for cancellation of the anticipatory bail granted by this Court in accordance with law.

9. **C.R.M.(A) 2033 of 2026** stands **disposed of**.

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

11. The concerned Department is directed to supply urgent certified Photostat copy of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Ajay Kumar Gupta, J.)