

C.R.M. (A) 236 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mothabari Police Station Case No.556 of 2024 dated 09.09.2024 under Sections 447/423/506/34 of the IPC, 1860 read with Section 8 of POCSO Act, 2012;

And

In Re: **Ashok Mandal & Ors**

... Petitioner

Mr. Sujoy Sarkar
Mr. Musharaf Alam
Ms. Sneha Srivastava
Ms. Debolina Goswami

...for the Petitioner

Mr. Sujan Chatterjee

...for the State

1. Petitioners submit that there was dispute amongst family members. They have been falsely implicated. They pray for anticipatory bail.

2. Learned lawyer for the State opposes the prayer. In spite of service of notice, nobody appears for the victim.

3. We have considered the materials on record including the statement of the victim. In her statement victim discloses there was dispute between the petitioners and her father. A skirmish ensued. In the course of skirmish, she was molested. Whether allegation of molestation is an embellishment due to prior enmity has to be assessed at the appropriate stage of the proceeding.

4. Keeping in mind the aforesaid facts and circumstances, we are inclined to grant anticipatory bail.

5. Accordingly, we direct that in the event of arrest, petitioners *viz.*, 1. Ashok Mandal, 2. Amar Mandal, 3. Sitesh Mandal, 4. Kritish Mandal, 5. Lalan Mandal, 6. Priti Mandal, be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. They shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)