

22.09.2025
Sl. No.13
NB

CRM (A) 2805 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Goalpoher P.S. Case No.133/2025 dated 10.03.2025 under Sections 75/64(2)/62/351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 10 of the POCSO Act.

And

In the matter of: Satya Sundar Roy ... petitioner

Mr. Jisan Iqubal Hossain,
Ms. Chandrima Debnath.
...for the petitioner.

Mr. Sandip Chakraborty,
Ms. Puja Goswami.
...for the State.

Ms. Minoti Gomes
...for the de facto complainant.

Heard the learned counsels for the petitioner, the de facto complainant and the State.

Although initially, the two 14 years old minor victims had stated that the petitioner had behaved inappropriately with them, subsequently they gave further statements before a Magistrate stating that due to some misunderstanding, these complaints were lodged. One of the victims, however, in her subsequent statement mentioned that she thought that the actions of the petitioner were inappropriate and that is why, the case was started. But, later she understood that her thinking was wrong.

These subsequent statements do not fully explain the detailed versions of inappropriate behavior given by the two minor victims in their earlier statements before the Magistrate.

However, in view of the subsequent stand taken by the minor victims substantially exonerating the petitioner, although I am not

inclined to grant anticipatory bail to the petitioner, I am granting the petitioner liberty to surrender before the learned jurisdictional Court, within six weeks from this date and pray for bail.

In the event the petitioner appears before the learned jurisdictional Court and prays for bail within such time, his application for bail shall be decided in accordance with law after taking into account the subsequent statements of the two victims.

With these observations, the application for anticipatory bail is disposed of.

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.)