

17/12/2025
D/L – 24
Court No.28
S. Kundu
Rejected

C.R.M.(A) 3786 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Nalhati P.S case no. 434 of 2025 dated 10/09/2025 under sections 6(1)/12 of the POCSO Act and 332(b)/49 of the BNS.

In the matter of: XXX

...Petitioner.

Mr. Rajendra Banerjee
Mr. Souvik Ganguly

...for the petitioner.

Mr. Prosenjit Mukherjee
Mr. Saptgarshi Chakraborty
Ms. M. Mondal
Mr. Samrat Banerjee

...for the de-facto complainant.

Mr. Arindam Sen
Mr. Subham Bhakat

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits as follows. At the relevant date, both the survivor and the petitioner were minors. Subsequently, the matter has been settled between the private parties.
2. Learned counsel appearing on behalf of the de-facto complainant/mother of the victim submits that two families had agreed that when the two become of marriageable age, they would get married.
3. Learned counsel appearing on behalf of the State vehemently opposes the prayer for anticipatory bail. He refers to the statements of witnesses, the medical report and the statement of the 14 years old victim recorded before a learned Magistrate. In that statement, the

survivor clearly stated that she was administered a medicine by the petitioner who was a distant relative of the survivor and when she became drowsy, the petitioner raped her. He recorded a video of the act and thereafter, blackmailed the victim girl to enter into such physical relation again.

4. Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case to grant anticipatory bail to the petitioner.
5. Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)