

02.04.2025
Item no. 09.
Court No.1.
S.De
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) 116 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj Police Station Case No.651 of 2024 Dated 15.11.2024 under Sections 329(4)/64/351(3) of the B.N.S. 2023.

And

In the matter of : Gobinda Barman.

.....Petitioner.

Mr. Subhasish Misra,
Mr. Satyajit Paul,

.....for the Petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das,

.....for the State.

1. The petitioner says that he has been falsely implicated. The allegation is that the complainant lady was plucking flowers in the petitioner's garden and the petitioner molested her. This is a completely false allegation and will not be borne out by the material-on-record.
2. Learned State advocate draws my attention to the material in the case diary including the statement of the victim lady recorded under Section 164 Cr.P.C./Section 183 B.N.S.S. The medical report, prima facie, does not support the version of the victim lady.
3. On an overall assessment of the facts and circumstances of the case and seeing that chargesheet has already been filed, I am of the view that immediate

custodial detention of the petitioner is not necessary so long as he co-operates with further investigation, if any.

4. Accordingly, in the event of arrest, the petitioner, namely, **Gobinda Barman** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that he shall report to the Officer-in-Charge once in a fortnight till completion of investigation.
5. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
6. The application for anticipatory bail, being CRM (A) 116 of 2025, stands disposed of.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)