

08.09.2025
Ct. No.3
Sl. No.23
Mujahid

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

CRM (A) 595 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023 in connection with **Maynaguri** P.S. Case No.**328** of **2025** dated **28.06.2025** under Sections **126(2)/79/351(2)/74/115(2)** of the BNSS, 2023.
And

In the matter of: **Mithun Sarkar**

....Petitioner

Mr. Bikash Singha,
Mr. Anirudha Tarafder

...for the petitioner

Mr. Nilay Chakraborty, Ld. APP,
Mr. Tapan Bhattacharjee,
Mr. Subhasish Misra

...for the State

1. The complaint has been lodged by the husband alleging therein that the petitioner in his absence attempted to molest his wife.

2. Learned counsel for the petitioner submits that the petitioner has been named falsely in the FIR.

3. Learned counsel for the State has opposed the bail application on the ground that the lady victim has already been examined and she has re-affirmed the allegation against the petitioner.

4. I have considered the submissions, there is no specific date and time of the incident.
5. Learned counsel for the State has fairly submitted that even in the submission under Section 164 Cr.P.C., the victim has not given any specific date and time of the incident.
6. In the event of arrest, the petitioner be released on anticipatory bail on furnishing a personal bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer, subject to the conditions that petitioner shall join the investigation as and when directed by the Investigating Officer and shall not threaten, intimidate or tamper the witness in any manner whatsoever.
7. The application for anticipatory bail is thus, disposed of.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Dinesh Kumar Sharma, J.)