

21.11.2025
Item no.6
Court No.3
ss
(Allowed)

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (A) 630 of 2025

In Re:- An application for anticipatory bail under Section 482 of BNSS, 2023 in connection with Mathabhnga P.S. Case No.502 of 2025 dated 27.06.2025 under Section 12/17 of the POCSO Act corresponding to Mathabhanga Court PTN Case No.38 of 2025.

In the matter of : **Amlyanjyoti Barman & anr.**

... Petitioners.

Mr. Subhasish Misra
Mr. Satyajit Paul
Mr. Rounak Ghosh

...for the Petitioners

Mr. Bhaskar Das
Mr. Chattu Roy

.....for the State.

1. Service report filed by the State is taken on record.
2. Learned Advocate for the petitioners submit that the present FIR is counter to an earlier complaint lodged by the uncle of the petitioner no.1, namely, Nirmal Barman against Malati Barman (complainant of the present case), Amal Barman and Amit Barman alleging of an occurrence which took place on 26th June, 2025. In the earlier incident one Manik Barman, who is an accused in the present case, sustained injury. Allegation as made in the FIR is totally afterthought only to harass the petitioners. There are no incriminating materials against the

petitioners. He seeks for grant of anticipatory bail to the petitioners.

3. Learned Advocate for the State, opposing such prayer of anticipatory bail, submits that the victim was taken away by petitioner no.1 and thereafter she was recovered. There are also allegations of threatening. He seeks for dismissal of the application for grant of anticipatory bail.
4. Despite service none appears on behalf of the *de facto* complainant.
5. Perused the case diary and the materials on record.
6. As per statement of the victim recorded under Sections 164 and 161 Cr.P.C. it appears that the victim had previous love affairs with the petitioner no.1. As per her statement the victim was taken to the house of one Falit Barman. Allegation as revealing from the statement of the victim against petitioner no.1 is of using abusive language, nothing more nothing less. There are no such specific allegations against the petitioner no.2. Considering the above, I am inclined to allow the prayer of the petitioners for anticipatory bail.
7. Accordingly, in the event of arrest the petitioners namely **Amlyanjoyti Barman** and **Sunanda Roy Barman @ Sunanda Barman** shall 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 subject to the conditions as laid down under

Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of BNSS and shall meet the Investigating Officer once in a fortnight, until further order and shall attend the court on the date fixed for appearance. The petitioner no.1 shall not enter the jurisdiction of Mathabhanga Police Station save and except to meet the Investigating Officer and attend court proceedings. The petitioner no.1 shall furnish the address where he shall presently reside before the learned trial court, the investigating officer and the Inspector-in-Charge of the concerned police station under whose jurisdiction he shall presently reside. In default the jurisdictional Court shall pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

8. This application for anticipatory bail is allowed.
9. **CRM (A) 630 of 2025** is, thus, disposed of.

(Bivas Pattanayak, J.)