

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

27.11.2025
Item No. 06 (DL)
AN

(REJECTED)

C.R.M. (A) 766 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Moynaguri Police Station Case No. 239 of 2025 dated 13.05.2025 under Sections 329(4)/351(2) of the BNSS, 2023 read with Section 8/12 of the POCSO Act, 2012 being Sessions Case No. 74/2025, PTN – 76/25 pending before the learned Special Court, (under POCSO Act), 2nd Court, Jalpaiguri.

In the matter of : **Bishu Roy**

... Petitioner.

Mr. Gopal Sah

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, ld. APP

Mr. Sagnik Sarkar

Ms. Namrata Das

...for the State.

Mr. Joydeep Kanta Bhowmik

Mr. Sayantan Bhowmik

...for de facto complainant.

1. Service report filed by the State is taken on record.
2. Learned advocate for the petitioner submits that he has been falsely implicated in this case. On the date of incident, a marriage ceremony was taking place where a dispute cropped up between the complainant and the petitioner. He seeks for grant of anticipatory bail in favour of the petitioner.

3. On the contrary, opposing such prayer for anticipatory bail, learned advocate for the State submits that the victim implicates this petitioner of his involvement in the alleged offence. He seeks for dismissal of the application for anticipatory bail of the petitioner.
4. Similar submission is also advanced by the learned advocate on behalf of the *de facto* complainant. He also opposes the prayer for grant of anticipatory bail of the petitioner.
5. Perused the case diary and the materials on record.
6. The victim in her statement recorded under Section 164 of the Code of Criminal Procedure implicates the petitioner of his involvement in the alleged offence. In view of the above materials and bearing in mind the nature and gravity of offence, I am not inclined to grant the prayer for anticipatory bail in favour of the petitioner.
7. Thus, the prayer for anticipatory bail is rejected.
8. The application being **CRM(A) 766 of 2025** stands dismissed.

(Bivas Pattanayak, J.)