

28.01.2025.  
Sl. No.08.  
Ct. No. 1  
SG  
(Allowed)

**IN THE HIGH COURT AT CALCUTTA**  
**Circuit Bench At Jalpaiguri**

**C. R. M. (A) 980 of 2024**

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bagdogra Police Station Case No. 332 of 2024 dated 15.10.2024 under Sections 126(2)/115(2)/118(1)/351(2) of BNS with Section 12 of POCSO Act.

And

In Re: **Tanmoy Dey alias Mantai.**

..... Petitioner

Mr. Amalesh Roy, Sr. Adv.  
Mr. Nigam Mittal.

.....for the petitioner

Mr. Aditi Shankar Chakraborty, Id A.P.P.  
Mr. Biswarup Roy.

.....for the State

1. Petitioner submits he has been falsely implicated. Allegation of molestation is false. Injury is not grievous. Accordingly, he prays for anticipatory bail.
2. Learned Advocate for the State submits petitioner molested the victim girl and assaulted her friend.
3. We have considered the materials on record. Incident occurred in the course of immersion of Durga idol. In her statement the victim girl contended petitioner used to harass her. On the fateful day he threatened her and molested her. He also assaulted her friend. From the aforesaid materials it appears petitioner and the victim were known to each other. Whether allegation of molestation is an embellishment requires

to be assessed at the appropriate stage of the proceeding. Injury on the victim's friend is simple.

4. Keeping in mind the aforesaid circumstances, we are inclined to grant anticipatory bail to the petitioner subject to condition.

5. Accordingly, we direct that in the event of arrest, the petitioner viz., **Tanmoy Dey alias Mantai** be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition petitioner while on bail shall meet the Officer-in-Charge, Bagdogra Police Station once in a week until further orders. He shall appear before the jurisdictional court and pray for regular bail within four weeks from date.

6. The application for anticipatory bail is, thus, disposed of.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**