

13.02.2026
Court No.28
Item No.27
ssi

CRM (A) 133 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with English Bazar Police Station Case No.**2336 of 2025** dated **05.11.2025** under Sections **137 (2)** of the BNS and Section 9/10/11 of the POCSO Act.

And

In the matter of: **Prosenjit Saha @ Chotan**

.... Petitioner.

Mr. Somnath Adhikary
Mr. Arup Kr. Bhowmick

...for the petitioner

Mr. Dhananjoy Banerjee
Mr. Pralay Hazra

...for the victim

Mr. Subhmay Bhattacharya
Ms. Suruchi Saha

..for the State

Heard the learned counsels for the petitioner, the de facto complainant and the State.

Learned counsels appearing on behalf of the petitioner and the de facto complainant submit that there was a love affair between the 18 years old boy and the 16 years old girl.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, as per the statements of the victim recorded before the learned Magistrate, she had eloped with the boy as she had an affair with him.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

In the event of arrest, the petitioner 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 also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the Investigating Officer once a week till submission of report in final form.

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

(Jay Sengupta, J.)