

23.02.2026
Sl. No.14
Ct. 28
NB

C.R.M (A) 168 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Burwan PS Case No.423/2025 dated 08.09.2025 under Sections 127(3)/137(2)/140(3)/3(5)/49/51 of the Bharatiya Nyaya Sanhita, 2023 and Section 6/17 of POCSO Act in relation to C. Special Case No.32 of 2025.

And

In the matter of: Sujoy Bagdi @ Sujay Bagdi ... petitioner

Mr. Kallol Kumar Basu,
Md. Jannat ul Firdous,
Mr. Rajsekhar Hota.
...for the petitioner.

Mr. Prasun Kr. Dutta Id.APP.,
Mr. Tirupati Mukherjee.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. There was a romantic relationship between the petitioner and the minor victim girl. The two had fled away. Afterwards, the alleged accused had taken the girl to her own house.

Despite service, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statements of the minor victim girl and the statements of other witnesses. However, he submits that medical examination has been refused by the alleged survivor. As per the statement of a neighbour of the accused present at page 75 of the case diary, the accused had eloped with the girl and had taken her to a relative's house.

Considering the above, the other materials available in the case diary, the fact that the alleged victim had refused to undergo medical examination and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly and the petitioner shall stay outside the jurisdiction of Burwan Police Station for a period of six months except for the purpose of attending the jurisdictional Court or for meeting the Investigating Officer.

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

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)