

AD 30
February 12, 2026
Ct. 28
SG

Allowed

CRM(A) 183 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Samsheganj P.S. Case No.828 of 2025 dated 15.08.2025 under Sections 137(2)/140(3) with adding Section 6 of the POCSO Act, 2012.

And

In the matter of: *Sadek Ali*

... petitioner

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. Debolina Roy

... for the petitioner

Mr. Aniket Mitra
Ms. Diksha Ghosh

... for the State

Ms. Minoti Gomes
Ms. Benajir Hasna

... for the de facto complainant

Report filed by the State is taken on record.

Learned counsel for the petitioner submits that the petitioner is the father of the principal accused. There was apparently a relationship between the 20 year old principal accused and the 16 year old victim.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the medical report and the statements of the victim recorded before the police as well as the learned Magistrate. The alleged victim has exonerated

the principal accused in a statement. She has also stated that after a case was started, all the accused have returned her.

Considering the above, the other materials available in the case diary and the alleged role ascribed to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)