

AD 45
February 20, 2026
Ct. 28
SG

Allowed

CRM(A) 310 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Harishchandrapur P.S. Case No.410 of 2024 dated 19.05.2024 under Sections 448/323/354/34 of the IPC, 1860 read with Sections 8/17 of the POCSO Act, 2012.

And

In the matter of: *Mastara Bibi @ Masrara Bibi @ Maseda*
... petitioner

Md. Wasim Akram
Ms. Sabrina Parveen

... for the petitioner

Mr. Saibal Bapuli, Id. APP
Mr. Tirupati Mukherjee

... for the State

Report filed by the State is taken on record.

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

Learned counsel for the petitioner submits that the petitioner is not the principal accused. The principal accused was arrested and thereafter granted bail. All this happened during an altercation which took place between the private parties over a land dispute.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of the alleged victim and other witnesses and the injury report. He submits that the minor victim refused to undergo medical examination. Charge-sheet has been submitted.

Considering the above, the other materials available in the case diary and the fact that the principal accused was granted bail and charge-sheet has been submitted, 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 surrender before the jurisdictional court within four weeks from this date and pray for bail, attend the jurisdictional court regularly 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.)