

13/02/2026
D/L – 55
Court No.28
S. Kundu
Allowed

C.R.M.(A) 382 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Murutia P.S case no. 190 of 2025 dated 20/7/2025 under sections 85/80/3(5) of the BNS and adding Section 6 of the POCSO Act and Section 9/10 of the Prevention of Child Marriage Act.

In the matter of: XXX

...Petitioner.

Mr. Asraf Mandal

...for the petitioner.

Mr. Amanul Islam

Mr. Sourav Mukherjee

...for the de-facto complainant.

Mr. Anupam Das Adhikary

Mr. Subhajit Chowdhury

...for the State.

1. Affidavit of service filed by the petitioner is taken on record.
2. Learned counsel appearing on behalf of the petitioner submits that the petitioner is the son of the uncle-in-law of the victim. There is hardly any material available against the petitioner. Charge-sheet has been submitted. The husband surrendered before the learned jurisdictional Court and is in custody.
3. Learned counsel appearing for the de-facto complainant opposes the prayer for anticipatory bail.
4. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He relies on the case diary, statements of witnesses and the *post-mortem* report.

However, he submits that the principal accused being the husband is in custody.

5. Considering the above, the other materials available in the case diary and the alleged role ascribed to the present petitioner, the fact that the principal accused is in custody and that a charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.
6. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall not threaten or intimidate the witnesses. The petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from date and shall regularly attend the jurisdictional Court.
7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)