

27.02.2026
Court No.28
Item No.25
ssi

CRM (A) 409 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Rejinagar Police Station Case No. **289 of 2022** dated **14.11.2022** under Sections **363/365/34** of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act.

And

In the matter of: **Bibhas Mondal & another.**

.... Petitioners.

Ms. Minoti Gomes

Md. Hafiz Ali

...for the petitioners

Ms. Zareen N. Khan

Mr. Atif Ahmed Siddiqui

..for the State

Affidavit of service filed on behalf of the petitioners is taken on record.

Report filed on behalf of the State is also taken on record.

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

Learned counsel appearing on behalf of the petitioners submits as follows. There was a love affair between the principal accused and the alleged survivor. The petitioners are the friend and the farther of such friend of the principal accused. Charge sheet has already been submitted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statements of the witnesses including that of the victim recorded before the learned Magistrate. The statements of the victim recorded before the learned Magistrate appears to exonerate even the principal accused.

Considering the above, the alleged roles ascribed to the present petitioners, the fact that the principal accused was arrested and was thereafter granted bail and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners 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 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 petitioners shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly. The petitioners shall not threaten or intimidate the witnesses.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)