

31.03.2026
Court No.28
Item No.57
tbsr
Reject

CRM (A) 559 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/Section 438 of Cr.P.C. in connection with **Uttarpara** P.S. Case No.**258 of 2024** dated **20.06.2024** under Sections **341/323/506** of the IPC also Section 8 of POCSO Act.

And

In the matter of: Ganesh Das

....Petitioner.

Mr. Dipak Das
Ms. Shamama Nasrin

...for the petitioner

Md. Anowar Hossain
Mr. Soukteya Ganguly

... for the State

Mr. Abhinaba Dan

....for the de facto complainant

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

Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in this case. He was not aware of his implication in the present case. The principal accused in this case has been granted bail.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail. He submits that the petitioner is praying for anticipatory bail in a case that was started on 20.06.2024.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statement of the 15 year old victim recorded before the learned Magistrate. According to her statement, the principal accused, being the brother-in-law of the victim, and the petitioner came on a motorbike from the backside.

While the present petitioner pulled her dress, the other accused touched her private parts. When the victim objected, the other accused attacked her with a blade. Learned counsel also refers to the injury report and the statements of other witnesses.

Considering the above, the other incriminating materials available in the case diary and the fact that the petitioner has remained absconding for so long, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

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.)