

09.04.2026
Sl. No.44
Ct. 28
NB

C.R.M (A) 670 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chanchal PS Case No.585/2024 dated 11.06.2024 under Sections 341/325/308/34 of the Indian Penal Code and under Section 8 of POCSO Act.

And

In the matter of: Masud @ Masud Alam ... petitioner

Mr. Sagar Saha,
Ms. Nayana Mukhopadhyay.
...for the petitioner.

Mr. Bibaswan Bhattacharya,
Mr. Sarthak Mondal.
...for the State.

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

Learned counsel appearing on behalf of the petitioner submits as follows. On 05.06.2024, cattle belonging to the present de facto complainant went inside the petitioner's field and damaged the crops. Soon an altercation ensued between the parties during which the petitioner was assaulted. He was constrained to lodge an FIR on 06.06.2024. Much later, on 11.06.2024, the present FIR was lodged by the de facto complainant alleging that on the same date of occurrence i.e. 05.06.2024, the petitioner assaulted the family members of the de facto complainant and molested a 17 year old girl. The petitioner has been falsely implicated in this case.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statement of the 17 year old girl, and other witnesses and refers to the injury report, which, however, does not show infliction of any grievous injury.

Considering the above, the other materials available in the case diary, the delay in lodging the present FIR and the fact that there are case and counter case pertaining to the incidents of the same date, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a week till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

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.)