

09.04.2026
Court No.28
Item No.49
tbsr

CRM (A) 708 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Hanskhali** P.S. Case No.**885 of 2025** dated **04.11.2025** under Sections **64(2)(m)/89/351(2)** of the BNS, 2023 & Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: XXXXX

....Petitioner.

Mr. Sumanta Das

....for the petitioner

Ms. Sukanya Bhattacharyya

Ms. Srilekha Chattopadhyay

....for the State

Mr. Manas Kumar Das

Mr. Prabal Das

....for the victim

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

Vakalatnama filed on behalf of the victim is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. An application for anticipatory bail of the present petitioner was earlier rejected by this Court on 06.02.2026 in CRM (A) 4286 of 2025. The petitioner was in a romantic relationship with the alleged victim. After the victim turned major, the two got married. Reliance is placed on the copy of a marriage certificate, annexed with the petition. The two are presently leading a happy married life at the petitioner's place. This constitutes a substantial change in circumstance on the basis of which the petitioner has filed a second application for anticipatory bail. It is further prayed that in the interest of justice, the application may be allowed.

Learned counsel appearing on behalf of the victim supports such contentions of the petitioner. She submits that the victim got married to the petitioner on 13.02.2026 and has been staying at her in-laws' place with her father-in-law and mother-in-law. However, the petitioner is staying somewhere else, as there is an apprehension that he may be arrested.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that there is a written communication made by the alleged victim to the Officer-in-Charge of the Hanskhali Police Station to the effect that the petitioner and the alleged victim got married and that the alleged victim was staying at her in-laws' place. She also handed over a copy of the marriage certificate.

It appears that the petitioner and the alleged victim have got married and that the alleged victim is now staying at her in-laws' place.

In view of the above and in the interest of justice, the present application for anticipatory bail is disposed of by granting liberty to the petitioner to surrender before the learned jurisdictional Court and pray for bail within four weeks from this date. In such event, the application for bail of the petitioner shall be decided by the learned jurisdictional Court leniently and in accordance with law and without being swayed by the observation made by this Court in its order dated 06.02.2026 passed in CRM(M) 4286 of 2025.

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.)