

05/05/2026
D/L – 24
Court No.28
S. Kundu
Allowed

C.R.M.(A) 1187 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Tapan P.S case no. 302 of 2025 dated 10/12/2025 under Sections 137(2)/140(3)/3(5) of the BNS read with Section 6 of the POCSO Act.

In the matter of: Joynal Mondal @ Jaynal Ali

...Petitioner.

Mr. Koushik Choudhury
Mr. D. Panda
Mr. Tridib Das

...for the petitioner.

Mr. Apan Saha

...for the de-facto complainant.

Ms. Manisha Sharma
Ms. Suveni Banerjee

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits that the petitioner is the father of the principal accused against whom the allegation is that he aided the kidnapping of the victim girl.
2. Learned counsel appearing on behalf of the de-facto complainant strongly opposes the prayer for anticipatory bail.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. She refers to the other materials available in the case diary. However, she submits that the victim girl has refused to undergo medical examination and has claimed in her statement before the learned Magistrate that she had voluntarily left with her boy friend.

4. Considering the above, the other materials available in the case diary, the fact that the medical examination was refused by the victim girl and that the victim girl admitted in her statement before learned Magistrate that she had voluntarily left with her boy friend, 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.
5. 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 cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O once a fortnight till submission of report in final form.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)