

20.04.2026
Sl. No.19
Ct. 28
NB

C.R.M (A) 1099 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 Bhutni PS Case No.147/2025 dated 09.11.2025 under Sections 137(2)/140(3)/3(5) of the BNS, 2023 and Section 4 of the POCSO Act.

And

In the matter of: Fulkumar Chowdhury ... petitioner

Mr. Arup Bhowmik.
...for the petitioner.

Mr. Saibal Bapuli Id.APP.,
Mr. Ashok Das.
..for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. There was a relationship between the petitioner and the alleged victim. They went to places together. After some time the relationship turned sour and FIR was registered. Charge sheet has been submitted.

Learned Additional Public Prosecutor representing the State opposes the prayer for anticipatory bail. He refers to the statement of the 15 year old victim made before the learned Magistrate. He also refers to the subsequent complaint made by the de facto complainant about threats being given. However, the victim refused to undergo medical examination.

Considering the above, the other materials available in the case diary, the fact that the victim had refused to undergo medical examination and the fact that charge sheet has already been submitted although I am inclined to grant anticipatory bail to the

present petitioner, the movement of the petitioner shall remain restricted for a limited period.

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 not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and the petitioner shall stay outside the jurisdiction of Bhutni Police Station for a period of six months except for attending the jurisdictional Court or meeting the Investigating Officer or casting the vote in the ensuing Assembly Elections.

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.)