

20.04.2026
Sl. No.22
Ct. 28
NB

C.R.M (A) 1117 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 Gangajal Ghati PS Case No.18/2026 dated 27.01.2026 under Sections 137(2)/140(3) of the BNS, 2023 and Section 6 of the POCSO Act corresponding to Special Case No.03/2026.

And

In the matter of: XXX & Anr.

... petitioners

Mr. Soumik Ganguli.
...for the petitioners.

Mr. S. S. Imam,
Ms. Srilekha Chattopadhyay.
..for the State.

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

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

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are not the principal accused. The victim girl has been recovered and the principal accused has been arrested. Charge sheet has been submitted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He refers to the statement of the 14 year old victim girl recorded before the learned Magistrate, which clearly implicates the principal accused as well as the present petitioner no.2. He also refers to the medical report and the statements of other witnesses.

Considering the above, the other materials available in the case diary and the fact that charge sheet has already been

submitted, while I am inclined to grant anticipatory bail to the petitioner no.1 (XXX), the application for anticipatory bail of the petitioner no.2 is rejected..

Accordingly, in the event of arrest, the petitioner no. 1 (XXX) 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 no. 1 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 shall regularly attend the jurisdictional Court.

The application for anticipatory bail is, thus, partly allowed and 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.)