

30/04/2026
D/L – 8
Court No.28
S. Kundu
Allowed

C.R.M.(A) 1072 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Nandigram P.S case no. 338 of 2024 dated 30/04/2024 under Sections 363/365/34 of the IPC adding Section 4 of the POCSO Act in connection with POCSO case no. 37 of 2024 and charge sheet being no. 356 of 2025 dated 20/05/2025 under sections 363/365/376(3)/341 of the IPC read with Sections 6(1)/17 of the POCSO Act.

In the matter of: Santanu Muniyan @ Sujan

...Petitioner.

Mr. Rajdeep Mazumder
Ms. Sagnika Banerjee
Ms. Sarmistha Basak

...for the petitioner.

Mr. Sandip Chakraborty
Ms. Manashi Roy

...for the State.

1. Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. However, there was fleeting interaction between the petitioner and the alleged victim, which was nevertheless voluntary.
2. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He submits that the petitioner was 13 years and a few months old at the time of occurrence. However, although in a statement before the learned Magistrate, she stated that she was taken away by the petitioner and did not say about any physical relationship, in the statement before the doctor

examining her, she had stated that she had left her home with the petitioner and thereafter, had a relationship.

3. Considering the above, the other materials available in the case diary and the fact that charge sheet has been submitted, I do not think that custodial interrogation of the petitioner is required in this case and although I am inclined to grant anticipatory bail to the petitioner, his movement needs to remain restricted for a limited period.
4. 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 not threaten or intimidate the witnesses. The petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from date and regularly attend the jurisdictional Court. The petitioner shall stay outside the jurisdiction of Nandigram Police Station for a period of four months from date except for meeting the I.O or attending the jurisdictional Court.
5. Accordingly, the application for anticipatory bail is allowed.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)