

16.04.2026
Sl. No.34
NB

CRM (A) 1127 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 Narendrapur PS Case No.211/2026 dated 21.02.2026 under Sections 64/62/74/75/78/79/126(2)/351(2) of the BNS, 2023.

And

In the matter of: Swapan Kar

... petitioner

Mr. Sabyasachi Chatterjee,
Mr. Debabrata Mandal,
Mr. Tirupati Mukherjee.
...for the petitioner.

Ms. Sreyashee Biswas,
Mr. Sujan Chatterjee.
..for the State.

Mr. R. C. Mukherjee
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a teacher aged about 56 years. An absurd allegation is levelled against him that when the alleged victim came to visit her, she was molested by him. It is an admitted position that the family members were present at the relevant time, and other students were also present at that time.

Learned counsel appearing on behalf of the de facto complainant submits as follows. The alleged victim although aged about 21 years has the mental capacity of a 7 year old child. Earlier, she had to leave the tuition of the present petitioner because of his indecent behavior. After some time, on a particular day, she was called by the petitioner, and after she went his house, she was molested.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She relies on the statement of the victim recorded before the learned Magistrate and the medical report. She submits that the victim girl has given a detailed account of how she was sexually exploited by the present petitioner.

Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail to the present petitioner.

The application for anticipatory bail of the petitioner is, thus, rejected.

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.)