

12/05/2026
D/L – 12
Court No.28
S. Kundu
Allowed

C.R.M.(A) 1110 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Bagnan P.S case no. 122 of 2026 dated 05/03/2026 under Sections 137(2)/140(3)/3(5) of the BNS.

In the matter of: XXX & Ors.

...Petitioners.

Mr. Ayan Basu
Mr. Prabir Kr. Das
Mr. Sumit Routh

...for the petitioners.

Ms. Sayani Das

...for the de-facto complainant.

Mr. Krishnendu Bhattacharyya

...for the Amicus.

1. Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner nos. 2 and 3 are the parents of the petitioner no. 1. The petitioner no. 1 had a relationship with the alleged victim. The FIR was lodged by the mother of the victim due to some misunderstanding.
2. Learned counsel appearing on behalf of the de-facto complainant submits that she would not have any objection if anticipatory bail is granted to the petitioners.
3. Learned Amicus assisting the State relies on the case diary and opposes the prayer for anticipatory bail. He relies on the statements of the witnesses. However, he also points to the subsequent statement of 17 years 6 months old victim girl recorded before the learned Magistrate, where she admitted that she had eloped with

the petitioner no. 1 out of her own volition and there was no physical relationship between the two. The alleged victim has also refused to undergo medical examination.

4. Considering the above, the other materials available in the case diary and the fact that medical examination was refused by the alleged victim, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.
5. In the event of arrest, the petitioners 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 petitioners shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner no. 1 shall meet the Investigating Officer once a fortnight till submission of report in final form.
6. Accordingly, the application for anticipatory bail is allowed.
7. The presence of the Investigating Officer is noted and is dispensed with.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)