

05/05/2026
D/L - 23
Court No.28
S. Kundu
Allowed

C.R.M.(A) 1186 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Kaliganj P.S case no. 810 of 2025 dated 07/10/2025 under Sections 64(1) of the BNS.

In the matter of: Biren Mondal

...Petitioner.

Mr. S. Das

...for the petitioner.

Mr. Imran Ali

Mr. Raja Jana

...for the State.

1. Learned counsel appearing on behalf of the petitioner submits that the petitioner is a 66 year old ailing individual and is quite incapable of committing such crime. He submits that the petitioner has been falsely implicated in this case. There is a delay in lodging the FIR. Charge sheet has been submitted.
2. Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. He relies on the statement of the victim recorded before the learned Magistrate. He also relies on the other statements and materials available in the case diary. However, he submits that the victim lady refused to undergo medical examination.
3. Considering the above, the other materials available in the case diary, the delay in lodging the FIR and the fact that the victim refused to undergo medical examination,

although DNA test was done in respect of the child and the fact that the charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

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 Kaliganj Police Station for a period of four months 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.)