

21.05.2026
Sl. No.32
NB

CRM (A) 1270 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 Katwa PS Case No.743/2025 dated 15.09.2025 under Sections 329(4)/115(2)/75/76/351(2)/3(5) of BNS, 2023.

And

In the matter of: Golam Nabi Mondal @ Pintu Mondal

... petitioner

Mr. Simanta Kabir,
Mr. Chandan Sekh,
Mr. Avik Pramanick.

...for the petitioner.

Mr. Krishnendu Bhattacharya
.....Amicus.

Ms. Tannistha Bandyopadhyay
...for the victim.

Mr. Navanil De,
Mr. Shoumilya Mazumder.
...for the OP No.2.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. Out of four FIR named accused, three were discharged. Actually, this is the second FIR. The first FIR was lodged from the petitioner's side on 14.09.2025 regarding an incident of theft and assault that took place on 11.08.2025. The present FIR was lodged belatedly on 15.09.2025 alleging that certain incidents took place on 12.08.2025. Charge sheet has already been submitted.

Learned counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail and submits as follows. Immediately after the incident had taken place on 11.08.2025, the de facto complainant approached the police. But, the

police did not act because the brother in law of the petitioner was a member of the local Panchayat from the erstwhile ruling political party. The de facto complainant was constrained to file a complaint before the learned Magistrate on 09.09.2025 regarding incidents. The other side might have come to know about it. This prompted them to lodge their FIR on 14.09.2025. Incidentally, the discharge of other co-accused was challenged by the de facto complainant and the learned Sessions Court set aside such discharge. There are other criminal antecedents of the present petitioner including cases of rash driving.

Learned Amicus assisting the State relies on the case diary and strongly opposes the prayer for anticipatory bail. He relies on the statements of the minor victim girl recorded before the learned Magistrate. He also refers to the statement of the victim's mother and other local witnesses.

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.)