

AD 62
May 14, 2026
Ct. 28
SG

Allowed

CRM(A) 1389 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Ranaghat P.S. Case No.220 of 2026 dated 05.04.2026 under Section 8 of the POCSO Act.

And

In the matter of: AAAA

... *petitioner*

Mr. Jayanta Narayan Chatterjee, Sr. Adv.

Ms. Moumita Pandit

Ms. Ritushree Banerjee

... for the petitioner

Mr. Krishendu Bhattacharya

... Amicus

Mr. S. Das

Mr. S. Mukherjee

... for the de facto complainant

Affidavit of service filed in Court is taken on record and kept in a sealed cover.

Learned senior counsel representing the petitioner submits that the petitioner got married to the de facto complainant on 05.06.2020. The de facto complainant had a daughter from her earlier marriage. However, soon after marriage, the de facto complainant started torturing the petitioner and his mother. She had sent the mother to a rehab. The mother subsequently passed away. The de facto complainant was also having an illicit affair with someone. On 18.03.2026, the petitioner was constrained to leave his own house. On that date, he made a GD entry. It was much later and as an afterthought that the present FIR was lodged on 05.04.2026 making wanton allegations against the

present petitioner. It was alleged therein that the petitioner had been molesting the minor daughter of his wife.

Learned Amicus, assisting the State, opposes the prayer for anticipatory bail and relies on the case diary, the statement of the 15 year old daughter of the de facto complainant, the statements of witnesses and the medical report.

Learned counsel for the de facto complainant submits that it is true that the petitioner had left his house. For this, the de facto complainant lodged a GD entry on 22.03.2026, but it is also true that the petitioner had been molesting the minor daughter of the de facto complainant for some time. Copy of the GD entry, as filed, is taken on record.

Considering the above, the other materials available in the case diary, the GD entry lodged by the de facto complainant regarding her husband going missing and the prior GD entry lodged by the petitioner while leaving his house, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and

on the further conditions that the petitioner shall cooperate with the investigation, shall meet the investigating officer once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)