

22.06.2026
SL.45
Ct.No.28
NB

CRM (A) 1426 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 Domkal P.S. Case No.765 of 2025 dated 06.09.2025 under Sections 137(2)/140(3)/64(1)/351(2)/3(5) of the BNS, 2023.

And

In the matter of: Pintu Sk @ Pintu Mondal

... petitioner

Mr. Arnab Chatterjee,
Mr. Avik Ghosh,
Ms. Ankusha Ghosh.
...for the petitioner.

Mr. Brajesh Jha,
Mr. Mukesh Gupta.
...for the State.

Mr. Kigsuk Mondal,
Mr. Suman Das.
...for the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. There is a delay of about 84 days in lodging the FIR, which was lodged by way of a complaint before the learned Magistrate. It is alleged that on 10.06.2025, when the alleged victim was with her minor 3 year old child, the present petitioner induced her to enter into his car. Thereafter she was allegedly taken to a railway station and then by train, she was taken to Digha. After being administered an obnoxious substance, she regained consciousness in a hotel at Digha. On 29.06.2025, she could manage to extricate herself and returned. Actually, there was a relationship between the two and all along the victim was travelling with her minor child.

Learned counsel appearing on behalf of the de facto complainant strongly opposes the prayer for anticipatory bail.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He refers to the FIR, the statement of the alleged victim recorded before the learned Magistrate and the medico legal examination report. As per the statement of the victim before the learned Magistrate, when she regained consciousness, the cousin sister and another relative of the petitioner were also present. In fact, the FIR has also been lodged against the other relatives of the petitioner including his mother. Charge sheet has been submitted.

Considering the above, the other materials available in the case diary, the strange set of facts that the alleged victim was travelling throughout with her minor child, that she also got to meet the other relatives of the petitioner during her travel, considering the delay in lodging the FIR and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall not threaten or intimidate witnesses or tamper with evidence and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall regularly attend the jurisdictional Court.

The application for anticipatory bail is, thus, disposed of.

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.)