08.10.2026
Court No.35.
D/L.241.
Rakib
(Allowed)

CRM (A) 3121 of 2026

In Re: An Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gazole Police Station case no. 216 of 2026 dated 06.03.2026 under Sections 85/76/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 6 of the POCSO Act, 2012.

And

In the matter of : Petitioner

.....Petitioner.

Mr. Abhimanyu Bannerjee
Mr. Arnab Saha
Mr. Abdul Nooman
.....for the Petitioner.

Ms. Mayukhi Mitra
Mr. Shivam Mishra
.....for the State.

Mr. Avinaba Patra
Mr. Sourav Mukherjee
.....for the De-facto complainant.

Learned advocate appearing for the petitioner submits that petitioner is the brother-in-law of the informant. Learned advocate also submits that petitioner has been foisted with the criminal case because of matrimonial dispute.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and draws the attention of the Court to the statement of the minor as well as that of the informant under Section 183 of the BNSS.

Learned advocate appearing for the de-facto complainant opposes the prayer for anticipatory bail and submits that there are specific accusations against the petitioner.

I have taken into account the statement under Section 183 of the BNSS which has been produced before this Court, on an

assessment of the same, I am of the view that custodial detention of the present petitioner is unwarranted. As such, prayer for anticipatory bail of the petitioner is **allowed.**

Accordingly, in the event of arrest, the petitioner shall be released on bail to the satisfaction of the Arresting Officer on such terms and conditions as he deems fit and proper 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 Bharatiya Nagarik Suraksha Sanhita, 2023.

Since, charge-sheet has already been submitted before the jurisdictional Court this order of anticipatory bail of the petitioner shall remain in force for a period of six weeks from date.

Accordingly, CRM (A) 3121 of 2026 is **allowed.**

The observations made above are only restricted for adjudication of the anticipatory bail application and should not be considered a final opinion on the merits of the case.

Memo of evidence submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)