07.10.2026
DL-1
Court No.37
[Bench ID-**265691**]
(AD)

(Allowed)

In the High Court at Calcutta

Criminal Miscellaneous Jurisdiction
Appellate Side

C.R.M. (A) 3133 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure in connection with **Bally** Police Station Case No.**144 of 2023** dated **14.10.2023** under Sections **376(D)/506/34** of the Indian Penal Code, 1860, now pending before the Court of Learned Chief Judicial Magistrate, Howrah, District-Howrah, corresponding to G.R. Case No.5072 of 2023.

And

In the matter of: **Pranit Deb Sharma**

....petitioner

Mr. Malay Bhattacharyya, Advocate
Mr. Subhrajyoti Ghosh, Advocate
Ms. Arifa Sultana, Advocate

...for the petitioner

Mr. Somnath Adhikary, Advocate
Ms. Madhurai Sinha, Advocate

... for the State

1. Memo of evidence filed in Court be taken on record.

2. Petitioner seeks anticipatory bail.

3. Affidavit of service filed in Court be taken on record.

4. None appears for the victim.

5. Learned Advocate appearing for the petitioner submits that, there is long standing enmity between the family of the petitioner and the family of the victim. There are two money suits filed by the victim one each against the parents of the petitioner. He submits that, there is no corroborative material to establish that the petitioner was present at the locale at the time when the victim claims the incident to take place.

6. Victim recorded her statement under Section 183 of the BNSS where she implicates the petitioner. According to

her, she got down from a railway station at about 9.45 pm went towards a particular place where, she was followed by the miscreants and the incident happened. She implicates the petitioner only as the principal perpetrator while she ascribes the role of facilitators to the other accuseds.

7. Victim was medically examined. The medical examination report is inconclusive with regard to the claim of rape. In fact, medical examination states that, there was no injury on her private parts and no foreign body was found from the private parts.

8. Issue of false implication remains.

9. Police filed charge sheet.

10. There is a history of enmity between the two families. In fact, in her statement recorded under Section 183 of the BNSS, she claims that she was pressurized to withdraw the two cases.

11. Case diary does not contain any corroborative material of any person seeing the perpetrators and the victim together at the relevant point of time.

12. 9.45 pm at the railway station which the victim speaks of is sufficiently crowded at that material point of time for the members of public either to intervene or corroborate the statement of the victim. No such material appears from the case diary.

13. In such factual matrix, I deem it appropriate to grant anticipatory bail to the petitioner.

14. Accordingly, I direct that in the event of arrest, the

petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default, the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

15. The prayer for anticipatory bail of the petitioner is **allowed**.

16. **C.R.M. (A) 3133 of 2026** is disposed of.

(Debangsu Basak, J.)

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