06.10.2026
Item No.67
Court No.37
CHC
Allowed

In The High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

C.R.M.(A) 3223 of 2026

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Joynagar** Police Station Case No. **661** of **2026** dated **19.06.2026** under Sections **137(2)/140(3)/64(2)** of Bharatiya Nyaya Sanhita, 2023 and Section **4** of Protection of Children from Sexual Offences Act (SPL Case No.179 of 2026) now pending before the Learned Judge Special Court Under POCSO Act, Baruipur, South 24 Parganas..

And

In the matter of : XXXXX

..... petitioner

Mr. Angshuman Chakraborty, Advocate
Mr. S. S. Saha, Advocate
....for the petitioner

Mr. Ranjan Chakrabarti, Advocate
Mr. Abhijit Singh, Advocate
....for the State

Mr. Sauma Subhra Ray, Advocate
Mr. S. Alam, Advocate
Ms. Neelam Kumari, Advocate
....for the de facto complainant

1. Petitioner seeks anticipatory bail.

2. State opposes the prayer for anticipatory bail.

3. State and the de facto complainant are represented.

4. Victim apparently is a minor. She recorded her statement under Section 183 of the BNSS where, she claims that, she was abducted by the petitioner and raped.
5. Victim underwent a medico legal examination where, Doctor opined that, there was no external injury mark.
6. Before the Doctor, the victim stated that, she was taken by the petitioner in the evening on June 18, 2026 to a hotel and stayed with the petitioner.
7. The possibility of the victim coming into the contact with members of the public during her so-called abduction, till her entry into the hotel and during her stay at the hotel cannot be ruled out.
8. Given such circumstances, need for custodial interrogation of the petitioner is not felt.
9. In such circumstances, I grant anticipatory bail to the petitioner.
10. 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 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 and on condition that the petitioner shall meet the Investigating Officer once in a fortnight till the conclusion

of investigation and on further 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.

11. This application for anticipatory bail is, thus, **allowed.**

12. **CRM(A) 3223 of 2026** is **disposed of.**

(Debangsu Basak, J.)

CHINMOY CHAKRABORTY

Digitally signed by CHINMOY CHAKRABORTY
Date: 2026.10.07 15:02:45 +05'30'