07.10.2026
82
Ct. No. 37
S.D.
Allowed

C.R.M.(A) 3316 of 2026

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Gangarampur** Police Station Case No. **175** of **2026** dated **30.03.2026** under Sections **137(2)/3(5)** of Bharatiya Nyaya Sanhita, 2023 read with Section **140/115(2)/109/3(5)** of the Bharatiya Nyaya Sanhita, 2023 and Section **8/12** of the POCSO Act, pending before the learned Additional District & Sessions Judge, Gangarampur at Buniadpur, Dakshin Dinajpur.

And

In Re : **XXX**

..... petitioner

Mr. Mrityunjoy Chatterjee
Mr. Imdadul Hoque
...for the petitioner

Mr. Amit Halder
Mr. Arijit Bhusan Bagchi
...for the State

Mr. Samya Ray
...for the defacto complainant

Petitioner stands accused of assault and outraging the modesty of a minor.

Minor recorded a statement under Section 183 of the BNSS where she implicates the petitioner of abducting her and outraging her modesty.

Minor was medically examination. Medical examination report apparently does not corroborate the statement of the minor.

There are no materials in the case diary corroborating the version of the minor.

Incident of abduction apparently occurred from a market place. Case diary does not contain any statement of any eye-witness corroborating the version of the minor.

Claim is that the minor was rescued by the locals. There is no statement in the case diary as of now to corroborate such fact.

There is a pre-existing enmity between the rival private parties.

In such circumstances, I grant anticipatory bail to the petitioner.

Accordingly, I direct that 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, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023. The petitioner will report before the Investigation Officer once a fortnight till the conclusion of the investigation. 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.

This application for anticipatory bail is, thus, allowed.

Memorandum of evidence filed in Court be kept on record.

(Debangsu Basak, J.)

SUROJIT DAS Digitally signed by SUROJIT DAS
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