07.10.2026
DL-60
Court No.37
[Bench ID-**265691**]
(AD)

(Rejected)

In the High Court at Calcutta

Criminal Miscellaneous Jurisdiction
Appellate Side

C.R.M. (A) 3293 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Chandipur** Police Station Case No.**103 of 2026** dated **13.04.2026** under Sections **115(2)/3(5)/303(3)/329(3)/351(2)/74/75** of the Bharatiya Nyaya Sanhita, 2023 and Section **8** of POCSO Act, 2012 in PTN 742/26 arising out of S.C. 134/26 and after filing the Charge Sheet No.152 of 2026 dated 09.06.2026 under Sections **115(2)/329(3)/351(2)/74/75/3(5)** of the Bharatiya Nyaya Sanhita, 2023 presently pending before the Learned Exclusive POCSO Court, Tamluk, District-Purba Medinipur.

And

In the matter of: **Subha Roy alias Subhadip Roy**

....petitioner

Mr. Samiran Mandal, Advocate
Mr. Nitish Samanta, Advocate
Ms. Agniva Mandal, Advocate
Ms. Shrayashee Mitra, Advocate

...for the petitioner

Mr. Paramanand Sharma, Ld. APP
Mr. Suman Agarwal, Advocate
Mr. Arijit Bhusan Bagchi, Advocate

... for the State

1. Petitioner seeks anticipatory bail.

2. Learned Advocate appearing for the petitioner submits that, there is a title suit pending between the private parties. The petitioner was falsely implicated in the instant case.

3. Learned Advocate appearing for the State draws the attention of the Court to the statement of the victim recorded under Section 183 of the BNSS as also statements of eye-witnesses.

4. Apparently, there was an incident of assault. The victim is a minor and was physically assaulted. She recorded her

statement under Section 183 of the BNSS where she implicates the petitioner in that incident of assault and outraging her modesty.

5. Injury report of the victim classifies injuries suffered by her as 'simple'.

6. There are statements of eye-witnesses recorded under Section 180 of the BNSS which corroborate the statement of the victim with regard to assault as also outraging of her modesty.

7. Police filed charge sheet accusing the petitioner both under the provisions of the BNSS as also POCSO Act.

8. In view of the materials in the case diary corroborating the version of the victim with regard to her outraging of modesty, I am unable to grant anticipatory bail to the petitioner.

9. Accordingly, the prayer for anticipatory bail of the petitioner is **rejected**.

10. **C.R.M. (A) 3293 of 2026** is **dismissed**.

(Debangsu Basak, J.)

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