13.11.2026
Serial no. 35
[G.S.Das]
Assistant Registrar
(Court)

CRM (A) 3666 of 2026

In re : An Application under Section **482** of the BNSS, 2023/under Section 438 of the Cr.P.C. in connection with **Haridevpur PS Case No. 44 dated 06.02.2026 u/s 351(3)/64(2)(f)/64(2)(m)/65(1) of the BNS read with section 6(1) of the POCSO Act.**

-And-

In the matter of : Petitioner

… Petitioner(s)

Mr. Sudipta Maitro, Sr Adv.
Mr. Omar Faruk Gazi
Mr. Pratikur Rahaman

… for the petitioner(s)

Mr. Kaustav Bagchi
Mr. M. K. Gupta

… for the State-respondent(s)

Mr. Ranabir Roy Chowdhury
Mr. Prasun Mukherjee
Ms. Kanchan Roy
Mr. A. Mohinta

… for the defacto-complainant

Learned Senior Advocate appearing for the petitioner submits that the petitioner has been foisted with the present criminal case because of a family dispute.

Learned advocate for the defacto-complainant opposes the prayer for anticipatory bail and emphasizes on the sections under which the investigation commenced and is continuing.

Learned advocate for the State also opposes the prayer for anticipatory bail and draws the attention of the court to the statement under section 183 of the BNSS of the victim.

The records reflect that charge-sheet has also been submitted before the learned jurisdictional Special Court. The statement under section 183 of the BNSS also reflects that the incident of offence as complained of by the victim is seven years prior to the FIR being registered.

Having considered that charge-sheet has been submitted before the learned jurisdictional Special court, the delay in lodging the FIR as also the fact that the victim refused medico-legal examination, I am of the opinion that custodial detention of the present petitioner may not be warranted in the facts and circumstances of the case.

Hence, the prayer for anticipatory bail of the petitioner is **Allowed.**

Accordingly, I direct that in the event of arrest, the petitioner be released on anticipatory bail subject to the satisfaction of the arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

As charge-sheet has been submitted, this order of anticipatory bail will remain in force for a period of six weeks from date.

Accordingly, CRM (A) 3666 of 2026 is disposed of**.**

Memo of evidence submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)