20.11.2026
Court No.35.
D/L.39.
Rakib
(Allowed)

CRM (A) 4026 of 2026

In Re: An Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kolaghat Police Station case no. 144 of 2026 dated 07.03.2026 under Sections 87/137(2)/140(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and 9/10 of the Prohibition of Child Marriage Act.

And

In the matter of : Nimai Mallick @ Nemai Mallick & Ors.

.....Petitioners.

Mr. Amal Krishna Samanta
Mr. Subhas Jana
.....for the Petitioners.

Mr. Sourendra Betal
Mr. Arindam Banerjee
.....for the State.

Learned advocate appearing for the petitioners submit that petitioners have been foisted with the present criminal case because of unnecessary activities of their son/brother. It has been informed that the principal accused is Jaydeb Mallick who has been arrested and subsequently release on bail.

Learned advocate appearing for the State opposes the prayer for bail and draws the attention of the Court to the statement of the victim under Section 183 of the BNSS.

I have taken into account the overall circumstances including the fact that the principal accused is Jaydeb Mallick, the petitioners being relations have been foisted with the criminal case, although, it is an admitted position that these petitioners had taken victim to the police station.

Having regard to the overall circumstances including the factum of investigation being completed and the principal accused is on bail, I am of the opinion that pre-trial detention of the present petitioners may not be warranted. As such, prayer for anticipatory bail of the petitioners namely, **(1) Nimai Mallick @ Nemai Mallick; (2) Shyamali Mallick; (3) Susanta Mondal and (4) Mamoni Mallick Mondal @ Mamoni Mallik** is **allowed.**

Accordingly, in the event of arrest, the petitioners shall be released on bail to the satisfaction of the Arresting Officer on such terms and conditions as he deems fit and proper 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 Bharatiya Nagarik Suraksha Sanhita, 2023.

Since, charge-sheet has already been submitted before the jurisdictional Court this order of anticipatory bail of the petitioners shall remain in force for a period of six weeks from date.

Accordingly, CRM (A) 4026 of 2026 is **allowed.**

The observations made above are only restricted for adjudication of the anticipatory bail application and should not be considered a final opinion on the merits of the case.

Memo of evidence submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)