09.11.2026
Sl. No.73
Ct. 07
NB

C.R.M. (A) 3931 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Beldanga PS Case No.313/2026 dated 29.05.2026 under Sections 105/3(5) of the BNS, 2023.

And

In the matter of: Asit Mondal

… petitioner

Mr. Shibaji Kr. Das.
…for the petitioner.

Mr. Rajdeep Biswas,
Mr. Ravi Ranjan Kumar.
…for the State.

1. Memo of Evidence filed in Court is taken on record.
2. Mr. Das, learned advocate representing the petitioner, submits, on the basis of the allegations, that the victim had sexually assaulted a minor girl, pursuant to which a case was registered against the victim. He further submits that, following the incident, the village people became furious and assaulted the victim, who subsequently succumbed to the injuries sustained. He also submits that, thereafter, the present case came to be registered against the petitioner alongwith some other persons. He further submits that, in the facts and circumstances of the case, custodial interrogation of the petitioner is not necessary.
3. Mr. Biswas, learned advocate representing the State, produces the Case Diary and opposes the prayer for anticipatory bail of the petitioner on the basis of the materials available therein.

4. Heard the learned advocates appearing on behalf of the respective parties.
5. Perused the Case Diary and other materials, including the post-mortem report and the statements of the witnesses recorded in the course of investigation. The alleged incident is based on direct evidence. The charge sheet has been submitted.
6. Considering all these aspects and the facts and circumstances of the case, I am of the view that custodial interrogation of the petitioner is not necessary and that the benefit of Section 482 of the BNSS can be extended to the petitioner.
7. Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not leave the jurisdiction of the concerned police station without prior permission of the learned Trial Court.
8. The application for anticipatory bail is, thus, disposed of.
9. Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Partha Sarathi Chatterjee, J.)