

09.02.2026
Court No.28
Item No. 17
tbsr
Allowed

CRM (A) 4334 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Harischandrapur** P.S. Case No.**314 of 2025** dated **01.04.2025** under Section **137(2)** of the BNS, 2023 read with Section 6/17 of the Protection of Children from Sexual Offences Act, 2012 and Section 9/10 of Prohibition of Child Marriage Act.

And

In the matter of: YYYY

....Petitioner.

Mr. Anindya Ghosh

Mr. Pronojit Roy

....for the petitioner

Mr. Arindam Sen, Sr. Govt. Adv.

Mr. M.F.A. Begg

....for the State

Report filed on behalf of the State is taken on record.

Today, no one appears on behalf of the de facto complainant.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is not at all involved in the alleged offences. He happens to be the husband of the alleged victim. It was the victim's paramour who was involved in the alleged offences.

Learned counsel appearing on behalf of the State relies on the report and the case dairy and opposes the prayer for anticipatory bail. He submits that the present petitioner is not the principal accused in this case. The principal accused is in custody.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioner

is required in this case and I am inclined to grant anticipatory bail to the petitioner.

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, one of whom must be local, to the satisfaction of the Arresting Officer and also be 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 BNSS, 2023 and on further condition that the petitioner shall cooperate with investigation, meet the I.O. once a fortnight till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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.

Certified copy would be issued to the learned counsel for the petitioner with the name of the petitioner present in the cause title, but the same would be kept in a sealed cover, which should be opened only before the concerned jurisdictional Court where the petitioner would be praying for bail and be kept there again in a sealed cover.

(Jay Sengupta, J.)