

15.01.2026
Item no. 18.
Court No.3.
Rakib
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 20 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jalpaiguri Kotwali Police Station Case No. 118 of 2025 dated 05.03.2025 under Sections 137(2)/140(3)/61(2) of the Bharatiya Nyaya Sanhita, 2023 adding Section 6 of the POCSO Act, 2012.

And

In the matter of : Sahabul Islam @ Sahabul Md.

.....Petitioner.

Mr. Sourav Ganguly
Mr. Bibek Tarafder
Mr. Abhijit Chanda
Ms. Rishita Chakraborty
.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Sagnik Sankar Sikdar
.....for the State.
Ms. Purbasha Sarkar
....for the de-facto complainant.

Learned advocate appearing for the State has submitted a memo of recovery along with communication made by the de-facto complainant as well as the victim to the Inspector-in-Charge of Kotwali Police Station, Jalpaiguri.

I have taken into account the contents of the communication. Having regard to the same, I am of the view that custodial detention of the petitioner may not be warranted in the facts and circumstances of the present case. Accordingly, the prayer for anticipatory bail of the petitioner is **allowed**.

Accordingly, I direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the investigating officer/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 the investigation of the case is in progress, petitioner shall meet with the investigating officer of the case once in a fortnight till the charge-sheet is submitted before the jurisdictional Court.

Accordingly, CRM (A) 20 of 2026 is **allowed**.

Copy of the memo of recovery along with communication made by the de-facto complainant as well as statement of the victim 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.)