

17.02.2026

Item No.27

Ct.No.06

b.das

Reject

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (A) 51 of 2026

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Malbazaar Police Station Case No. 512 of 2025 dated 07.11.2025 under Section 4 of the POCSO Act.

And

In Re : **Krish Toppo**

... Petitioner

Mr. Anirban Banerjee

... for the Petitioner

Mr. A.S. Chakraborty

Mr. S. S. Sikdar

... for the State

Affidavit of service filed by the petitioner is taken on record.

None appears for the victim despite service.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner is falsely implicated and is not involved in the alleged incident. He is not the principal accused. He shall appear for the Higher Secondary examination this year. Charge sheet has been submitted and his custodial interrogation is not required.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

The victim who is a minor was ravished by the principal accused in presence of the petitioner and another who were silent onlookers to the incident and did not find it necessary to resist the principal accused or save the minor.

Considering the gravity of the offence and extent of involvement of the petitioner therein, prayer for anticipatory bail is rejected.

The application being CRM (A) 51 of 2026 is disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)