

17/03/2026
D/L – 18
Court No.6
S. Kundu
Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 78 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Kalchini P.S case no. 118 of 2020 dated 29/08/2020 under sections 363/365 of the IPC and adding Section 6 of the POCSO Act and Sections 10/11 of the Prohibition of Child Marriage Act.

In the matter of: Atul Singh @ Rashu

...Petitioner.

Mr. Subham Dutta

...for the petitioner.

Mr. Rounak Ghosh

...for the de-facto complainant.

Mr. Aditi Shankar Chakraborty

Mr. Sagnik Sankar Sikdar

...for the State.

1. Learned counsel appearing for the petitioner submits as follows. There was a romantic relationship that had developed between the petitioner and the alleged survivor. Although the survivor was a minor at the alleged date of occurrence, at present she is a major. The two eloped to place in Uttar Pradesh. In fact, the petitioner had to file a writ petition before the Hon'ble Allahabad High Court seeking protection. After some time, the alleged victim was purportedly recovered.
2. Learned counsel appearing for the de-facto complainant opposes the prayer for anticipatory bail. He submits that

the girl was taken to the State of U.P and kept there for about one year.

3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He submits that the case was started in 2020 and a charge sheet was submitted in 2021. He refers to the statement of the victim recorded before the learned Magistrate and the statements of other witnesses. Medical examination was done.
4. It appears from the statement of the alleged victim made before the Magistrate that she had a relationship with the present petitioner. She also has a quarrel with her mother over the issue of playing some game. She thereafter decided to leave her house with the said friend. The two stayed together at a place for some time.
5. Considering the above, the other materials available in the case diary, the statement of the victim that she had herself eloped with the petitioner due to certain reasons and the fact that charge sheet has been submitted, 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.
6. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall not

threaten or intimidate witnesses. The petitioner shall surrender before the jurisdictional Court and pray for bail within four weeks from date and shall regularly attend the jurisdictional Court.

7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)