

17.06.2026
Item no.12
Court No.5.
MKP

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

CRM (A) 307 of 2026

In Re: An Application for anticipatory bail under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Nilkamal Roy

.....Petitioner.

Mr. Ananta Halder
Mr. Ranjit Singh

.....for the Petitioner.

Mr. Rajesh Kumar Sharma
Mr. Abilash Mittal
Mr. Bickey Sharma

.....for the De facto

Ms. Jagriti Mishra, Ld.AAAG
Mr. Avrojoyti Das, Ld. APP
Ms. Madhushri Dutta

.....for the State

1. Affidavit of service filed be kept with the record.
2. The application for anticipatory bail has been preferred apprehending arrest in connection with Pradhan Nagar P.S.Case No. 132/2019 dated 10.03.2019, U/s 6/8 of POCSO Act corresponding to Special POCSO Case No.14/2019 pending before the Learned Additional District & Sessions Judge, 1st Court at Siliguri.

3. Learned Counsel for the petitioner placing orders passed by the Division Bench granting anticipatory bail to accused Pratik Roy, Md. Afijul Rahaman prays for anticipatory bail on the ground of parity.
4. It is submitted that the petitioner herein is on better footing than the said accuseds already enlarged on anticipatory bail in November, 2022.
5. It appears from the contents of the written complaint that the victims in the present case at the date and time of the incident had gone to the local Debidanga Bazar to purchase some cosmetics. On the way back home, one Bishnu Barman@ Bishu of the area with two **unknown associates** allegedly committed the offences alleged in the present case.
6. The petitioner herein has not been named in the FIR but has been charge-sheeted.
7. On perusal of the materials on record and the case diary, moreso, the statements of the victims as recorded under Section 164 of the Cr.P.C., it appears that the victims have made statements about the persons, **unknown to them committing the offences alleged.**
8. The said fact is corroborated by the contents in the written complaint. It is subsequently during investigation that the petitioner's name has been noted in the chargesheet.
9. Considering the said facts, moreso the contents in the statements recorded under Section 164 Cr.P.C., the prayer of

the petitioner namely Nilkamal Roy for anticipatory bail stands **rejected.**

10. The application being CRM (A) 307 of 2026 stands, **disposed of.**

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

(Shampa Dutt (Paul), J.)