

05.01.2026

Item No.7

Ct.No.3

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI

C.R.M. (A) 847 of 2025

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Bhorer Alo Police Station Case No. 102 of 2025 dated 20.04.2025 under Sections 137(2)/123/117(2)/65 of the Bharatiya Nyaya Sanhita, 2023 read with Section 4 of the POCSO Act, 2012.

And

In Re : **Kanak Sarkar**

... Petitioner.

Mr. Biraj Biswas,
Mr. Supratim Nag,
Mr. Tanmay Roy

... For the Petitioner.

Mr. A. S. Chakraborty, APP,
Mr. Sagnik Sankar Sikdar

... For the State.

Ms. S. Sarkar,
Ms. Angana Rakshit

... For the *de facto* complainant.

Affidavit-of-service filed in Court today be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is innocent of the charges as there was consensual relationship between the petitioner and the victim and subsequently the present petitioner has been falsely implicated in connection with the present criminal case. As such, the petitioner prays for anticipatory bail on any stringent condition.

Learned advocate appearing for the *de facto* complainant opposes the prayer for anticipatory bail.

Learned advocate appearing for the State has produced the case diary which includes the statement of the victim recorded under Section 183 of the BNSS as well as the medical report.

On an assessment of the aforesaid, I am of the view that this is not a fit case for granting anticipatory bail to the petitioner. As such, the prayer for anticipatory bail of the petitioner is **rejected**.

The application for anticipatory bail, being CRM (A) 847 of 2025, is, thus, dismissed.

All concerned parties shall act on the server copy of this order duly 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.)