

07.01.2026
Serial no. 9
[G.S.D]

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

CRM (A) 910 of 2025

In re : An Application under Section **482** of the BNSS, 2023/under Section 438 of the Cr.P.C. in connection with **Tufanganj Police Station FIR No. 550 of 2025 dated 18.09.2025 under section 123/351(2) of the BNS, 2023 read with Section 04 of the POCSO Act, 2012.**

-And-

In the matter of : Narayan Roy

... Petitioner(s)

Mr. S. Mukherjee
Ms. Tannu Agarwal

... for the petitioner(s)

Mr. Aditi Shankar Chakrbaorty, APP
Mr. S. S. Sikdar

... for the State-respondent(s)

Learned advocate for the petitioner submits that the incident complained of by the father of the victim was after a considerable period of time. The investigating officer has already completed the investigation and submitted charge-sheet, except the statement under Section 164 of the Cr.P.C./Section 183 of the BNSS, there are no supporting materials. There are also no supporting documents and even the victim has refused to undergo medicolegal examination.

Learned advocate for the State has produced the case diary and drawn the attention of the court to the

statement of the victim girl as also the General Diary Entry which records regarding the Register of Somraj Hotel, Cooch Behar being produced.

On an assessment of the materials available in the case diary, I am of the opinion that although a case has been made out but custodial detention of the petitioner may not be warranted in the facts and circumstances of the present case.

Hence, the prayer for anticipatory bail of the petitioner is **Allowed**.

Accordingly, I direct that in the event of arrest, the petitioner be released on bail upon furnishing 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 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.

The petitioner shall on and from 9th January, 2026 stay outside the jurisdiction of Tufanganj Police Station till the evidence of the victim before the learned trial court is over. The petitioner shall also inform his residential address where he would be residing outside the jurisdiction of

Tufanganj Police Station to the investigating officer of the case and/or Inspector-in-charge of Tufanganj Police Station.

Accordingly, CRM(A) 910 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)