

07.01.2026
Item no. 11.
Court No.3.
Rakib

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

CRM (A) 932 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhaktinagar Police Station Case No. 537 of 2025 dated 10.06.2025 under Sections 85 of the Bharatiya Nyaya Sanhita, 2023 read with Section 6 of the POCSO Act, 2012.

And

In the matter of : Barun Tamang.

.....Petitioner.

Mr. Sayan De
Ms. Suman Sehanabis Mandal
Ms. Esha Acharya
Ms. Anwesha Chakraborty
Mr. Rimik Chakraborty
Mr. Salok Sah

.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Sagnik Sankar Sikdar

.....for the State.

Mr. Sourav Ganguly
Mr. Gopal Roy
Ms. Rishita Chakraborty
Mr. Bibhash Kr. Nandy

.....for the de-facto complainant.

Learned advocate appearing for the petitioner submits that the petitioner is engaged in the BSF and has been falsely implicated in connection with the instant case immediately after he filed a matrimonial suit for divorce. According to the learned advocate the contents of the letter of complaint, it is reflected that there are overtones of a matrimonial dispute where the daughter has been used as a ploy to vindicate the grievances at the behest of the mother.

Learned advocate appearing for the State has produced the Case Diary and drawn the attention of the Court to the statement under Section 183 of the BNSS. It has also been submitted that charge-sheet has been filed before the regular Special Court and warrant of arrest has been issued against the present petitioner.

Learned advocate for the de-facto complainant submits that earlier the Superiors were informed.

There are certain discrepancies on the dates as has been pointed out by the learned advocate for the petitioner but having regard to the provisions of the POCSO Act, I am of the view that as charge-sheet has been submitted before the jurisdictional Court, in the fitness of circumstances, petitioner, if he surrenders before the Court his regular bail be considered in accordance with law.

Accordingly, CRM (A) 932 of 2025 is **disposed of**.

All parties shall act in terms of server copy of the order 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.)