

06.01.2026

Item No.81

Ct.No.3

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI

C.R.M. (A) 1012 of 2025

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Maynaguri Police Station Case No. 527 of 2025 dated 15.10.2025 under Sections 109/115(2)/126(2)/3(5)/351(2)/74 of the Bharatiya Nyaya Sanhita, 2023 read with Sections 12/8 of the Protection of Children from Sexual Offences Act, 2012 and charge-sheet submitted Sections 126(2)/74/115(2)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 8/12 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Md. Talib @ Md. Telef @ Telef Md.**

... Petitioner.

Mr. Arnab Sengupta,
Mr. Rajat Chandra Singha,
Mr. Riju Dey,
Mr. Niraj Datta

... For the Petitioner.

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

... For the State.

Mr. Shubhankar Dutta,
Ms. Swagata Mitra

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner has been implicated in connection with the instant case on accusations of assaulting the minor girl who is the victim of the present case. Additionally, it has been submitted that the petitioner and the minor were acquainted with each other and as such, on any stringent condition, petitioner's liberty may be granted.

Learned advocate appearing for the *de facto* complainant opposes the prayer for anticipatory bail and submits that because of the act and action of the present petitioner, the minor felt insecure to attend her tuition classes and she had to change her tuition subsequently. The accused/petitioner also assaulted the minor which resulted in injuries. As such, the prayer for anticipatory bail of the petitioner may be rejected.

Learned advocate appearing for the State while opposing the prayer for anticipatory bail, produces the statement of the victim recorded under Section 183 of the BNSS.

I have taken into account the statement of the victim recorded under Section 183 of the BNSS as well as the medico-legal examination of the victim. There are scratches on the face of the victim which were because of the slap inflicted by the accused as alleged. Before the doctor also there is a statement in respect of the videography with which the petitioner threatened the victim. However, having regard to the nature of the accusations and the totality of the circumstances of the case, I am of the opinion that custodial detention of the present petitioner is unwarranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioner is **allowed**.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to

the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

The petitioner shall not enter the jurisdiction of Maynaguri Police Station except for the purposes of meeting the Investigating Officer of the case once a week till the charges are framed by the learned Trial Court. Petitioner shall also inform where he would be residing to the Officer-in-Charge/Inspector-in-Charge, Maynaguri Police Station.

Irrespective of any date fixed by the learned Trial Court, petitioner shall once in a week also be present before the learned Trial Court/Special Court and obtain an acknowledgement from the learned Trial Court.

The Officer-in-Charge/Inspector-in-Charge of both Maynaguri Police Station and the jurisdiction within which the petitioner would be residing, would submit report as to the conduct of the present petitioner before the learned Trial Court/Special Court.

In case there are any other violations committed which leads to insecurity and/or interference with the regular activities of the minor and/or her family members, the learned Special Court would be at liberty to cancel the bail, if any granted subsequently, without further reference to this Court.

The application for anticipatory bail, being CRM(A) 1012 of 2025, is, thus, disposed of.

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 given to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)