

**In the Court of Additional District and Sessions Judge,
Gangarampur at Buniadpur, Dakshin Dinajpur.**

Crl. Misc. Case No. 87 of 2026

CNR No. WBDD05-0000372-2026

**Present- Shri Dhiman Barman
ADJ, Fast Track Court, Balurghat-in-charge of
Addl. Dist. & Sess. Judge
Gangarampur at Buniadpur,
Dakshin Dinajpur.**

**1. Piyali Karmakar @ Peli Kol, 2. Naren Karmakar @ Naren Kol & 3. Hiron Lohar @
Hiran Kol.**

-Vs -

1. State of West Bengal & 2. The Defacto complainant

Reference:-PTN. No. WBDD06P000987 of 2026, Gangarampur P.S Case No. 276 of 2026 dated 12-05-2026 u/s 137(2)/140(3)/3(5) of the BNS R/W Section 06 of the POCSO Act.

Order no. 04 dated 02/07/2026.

This day is fixed for hearing of the Criminal Misc case u/s. 482 of the B.N.S.S filed on behalf of the accused/petitioners, **1. Piyali Karmakar @ Peli Kol, 2. Naren Karmakar @ Naren Kol & 3. Hiron Lohar @ Hiran Kol**, arising out of Gangarampur P.S Case No. 276 of 2026 dated 12-05-2026 u/s 137(2)/140(3)/3(5) of the BNS R/W Section 06 of the POCSO Act with **PTN. No. WBDD06P000987 of 2026.**

TCR is received and C.D is produced.

I.O is absent despite necessary direction being given for his physical appearance.

Ld. Advocate Mr. Abu Taher Rahaman is present on behalf of the prosecution.

Petition u/s. 482 of the B.N.S.S is taken up for hearing.

Heard both the sides.

Perused the materials in C.D. and T.C.R.

Considered.

Ld. defence counsel submitted that no penal section under the POCSO Act is attracted against the accused-petitioners but they are apprehending arrest on the alleged accusation of kidnapping of the victim girl. It is further submitted that the petitioners have no manner involvement with the alleged offence of kidnapping and they have been implicated in this case and as such they should be granted anticipatory bail and in that event the petitioners shall abide by every such condition as may be imposed upon them in this behalf.

Ld. Addl. P.P-in-charge formally objected the anticipatory bail prayer but at the same time made a candid submission that no offence under the POCSO Act is attracted against the accused persons. He further referred the statement of the V.G recorded u/s 183 of the BNSS and left the matter with the discretion of the Court.

Having heard both sides and perused the materials on record as well as the C.D including the statement of the V.G recorded u/s 183 of the BNSS, this Court prima-facie finds no substantive accusation against the accused persons. Admittedly, the accused persons/ petitioners are the parents and relative of the principal accused **Pratap Kol** who is in custody on the charge of section 6 of the POCSO Act.

Besides, this Court finds no development in investigation after 12-06-2026. Therefore, on the question of custodial interrogation of the accused-petitioners, this Court finds no substantive ground. The absence of the I.O also indicates that there is no necessity of custodial interrogation of the accused-petitioners.

Thus, I find no impediment in granting anticipatory bail to the accused-petitioners.

The petition u/s 482 of the BNSS is hereby considered and allowed.

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Crl. Misc. Case No. 87 of 2026

Contd. Order no. 04 dated 02/07/2026.

Hence, in the event of the arrest of the accused-petitioners **1. Piyali Karmakar @ Peli Kol, 2. Naren Karmakar @ Naren Kol & 3. Hiron Lohar @ Hiran Kol**, they may be released on bail on condition of furnishing a bail bond of Rs. 5,000/- each subject to the satisfaction of the arresting officer on further condition that the accused-petitioners shall not leave the jurisdiction of this Court and appear on every date fixed and comply with all the conditions u/s 482 (2) B.N.S.S.

C.D and T.C.R be returned.

Thus, this Crl. Misc case No. 87 of 2026 is disposed of.

Dictated & Corrected by

sd/-

**sd/-
ADJ, Fast Track Court-in-ch-of
Addl. Dist. and Sess. Judge
Gangarampur at Buniadpur,
Dist.- Dakshin Dinajpur.**

**(D. Barman)
(WB-00923)
ADJ, Fast Track Court-in-ch-of
Addl. Dist. and Sess. Judge
Gangarampur at Buniadpur,
Dist.- Dakshin Dinajpur.**

Memo No:-

dated:- 02-07-2026

1. Copy of this order be forwarded for information and taking necessary action to the I.O through Gangarampur P.S.

**(D. Barman)(WB-00923)
ADJ, Fast Track Court-in-ch-of
Addl. Dist. & Sess. Judge
Gangarampur at Buniadpur**