

IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE, 2ND COURT DARJEELING I/C

Present : Akhilesh Kumar Pandey (JO Code: WB00784)

Additional Sessions Judge, 2nd Court, Darjeeling In-charge

Criminal Misc. Case No. 02 of 2026 (CIS 188 of 2026) (CNR No. WBDJ010003832026)

Akash Mandal VS

1) State of West Bengal,

Darjeeling Sadar Women P.S. case No. 03 of 2026 dated 29.03.2026
and corresponding to Special Case No. 08/2026 U/s 6 of POCSO Act.

Order No.04 dated 05-06-2026

The present Crl. Misc. Case filed on behalf of the accused petitioner Akash Mondal under the provision of Section 482 of B.N.S.S, 2023 praying for grant of anticipatory bail is taken up for hearing.

CD and LCR are produced.

Perused the case diary and the LCR.

From the LCR I find that the instant case is being initiated on the information of the Ward Master of District Hospital, Darjeeling address to the O/C Women P.S, Sadar Police Station, Darjeeling that a patient the victim girl was admitted in the hospital on 28.03.2026 and she was found to conceive while she was minor and on the basis of that information of the Ward Master, Sadar Women P.S Case No. 03 of 2016 dated 29.03.2026 under section 6 of POCSO Act was started. The present accused being named in the FIR being the husband of the minor.

I have heard the submission made by the Ld. Advocate of the accused petitioner as well as the Ld. Special P.P for the prosecution.

It is not disputed that the victim girl of this case and the accused petitioner are married to each other and in course of living together as husband and wife, the victim girl conceived.

I have also gone through the order passed by the Hon'ble Court Circuit Bench at Jalpaiguri in CRM (A) 704 of 2025 wherein the Hon'ble Court in a similar matter where the accused petitioner was married to the victim girl has been pleased to allow anticipatory bail in favour of the petitioner husband with the observation that both were living as husband and wife.

In the present case both the accused petitioner and the victim girl are married to each other and are living together.

Under the said circumstances the prayer for anticipatory bail made by the petitioner husband is allowed.

In the event of the arrest of the petitioner husband Akash Mondal, the petitioner husband be released on bail executing bond of Rs. 10,000/- with two sureties of Rs.5,000/- each to the satisfaction of the Investigating Officer.

Petitioner to comply the provision u/s 482(2) of BNS.

Misc. case is accordingly disposed of.

Return CD and LCR.

Copy of this order be also forwarded to the concerned police station through GRO, Sadar.

Dictated & corrected by me

Sd/-

Additional Sessions Judge

2nd Court, Darjeeling I/C

JO Code: WB00784

Sd/-

Additional Sessions Judge

2nd Court, Darjeeling I/C

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