

IN THE COURT OF THE SESSIONS JUDGE, DARJEELING

Present : Smt. Anita Mehrotra Mathur (JO :WB00649)

Additional Sessions Judge, 2nd Court, Darjeeling

Criminal Misc. Case No. 06 of 2026 (CIS 240 of 2026)

Laxmi Gurung VS State of West Bengal

Rangli Rangliot P.S. case No. 6 of 2026 dated 25.04.2026 and
corresponding to Special (C) Case No. 10/2026 U/s 16 of
POCSO Act.

Order No.03 dated 19-06-2026

The instant Criminal Misc Case has been filed under Section 482 of B.N.S.S, 2023 by the petitioner Sudesh Tamang apprehending arrest in connection with Rangli Rangliot P.S. case No. 6 of 2026 dated 25.04.2026 and corresponding to Special (C) Case No. 10/2026 U/s 16 of POCSO Act.

At the outset the Learned Advocate for the accused petitioner submitted that no application for anticipatory bail has earlier been rejected by the Hon'ble High Court or is pending for disposal before the Hon'ble High Court and he draws attention of this court to the affidavit affirmed in this respect.

VG and informant are present in Court on call.

Lawyer's hazira is filed on behalf of accused /petitioner.

Heard Ld. Advocate for the petitioner and Ld. Special P.P

Ld. Lawyer appeared for the accused petitioner submitted that the petitioner/ accused is the mother of minor victim girl and there is no allegation under POCSO Act against him. It is submitted that the accused petitioner is totally innocent and falsely been implicated. It is submitted there is no chance of absconding or tampering with the evidences and prays for pre-arrest bail. The accused/petitioner has complied notice u/s 35(3) of BNSS on 04.06.2026 and the original notice has been filed in this regard.

VG and the defacto complainant raises no objection regarding instant bail application.

Ld. Special Public Prosecutor raises no objection and leaves the matter to the discretion of this learned Court.

Perused case record and materials in CD.

Fir reveals that the ward master of Sadar Hospital, Darjeeling on 24.04.2026 lodged the complaint before the O/C Sadar P.S. Darjeeling alleging that minor pregnant VG was hospitalized on 23.04.2026. Thereafter the FIR was sent to the concerned PS being Rangli Rangliot and Rangli Rangliot P.S case No. 6/26 dated 25.04.2026 has been initiated on 25.04.2026. During investigation I.O has issued notice to the present petitioner who is the mother of the minor VG and notice has been complied on 04.06.26 as per endorsement of the concerned I.O. CD so far does not reveal allegation under the POCSO Act against this accused who happens to be admittedly mother of the minor victim girl.

It appears from the CD there is no direct allegation or role of this accused petitioner in alleged marriage of the CCL and the alleged minor victim girl. Considering the aforesaid facts and circumstances of the case, repeated direction of the Hon'ble Apex Court highlighting the personal liberty of the individual, this court is of opinion that custodial interrogation of the accused/petitioner is not necessary.

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Contd.. Order No. 3 dated 19.06.2026

Accordingly prayer for pre-arrest bail is **allowed**.

In the event of arrest the accused person namely Laxmi Gurung be released on furnishing bail bond of Rs. 2,000/- with one registered surety of like amount to the satisfaction of the arresting officer with conditions laid down in section 482(2) of the B.N.S.S.

The Criminal Misc Case is thus disposed of.

Case diary be returned at once.

Let a copy of this order be kept in the original case record.

Let another copy of this order be sent to the O/C Rangli Rangliot P.S. for information.

Dictated and Corrected by me:

Sd/-
Additional Sessions Judge,
2nd Court Darjeeling.
JO Code: WB00649

Sd/-
Additional Sessions Judge
2nd Court, Darjeeling
JO Code: WB00649