

IN THE COURT OF THE SESSIONS JUDGE, PURBA MEDINIPUR AT TAMLUK.

Present : Shib Shankar Ghosh (JO Code WB00872)
Sessions Judge-in-charge, Purba Medinipur

Crl. Misc. Case No.166 of 2026

CNR : WBEM0100-0883-2026

G.R. Case No.2220/2025 arising out of Talpatighat Coastal P.S. Case No. 134/2025, dated 13.09.2025,

u/S- 329(4)/69/78/3(5) of the B.N.S.

Order No.04, dt. 16.03.2026 :

This is an application u/S-482 of B.N.S.S. moved by the Ld. Advocate for the accused/petitioner, namely, **Swapnadeep Das** praying for anticipatory bail.

Ld. Advocate for the accused/petitioner and the Ld. P.P.-in-charge both are found present.

At the outset, learned Advocate for the accused/petitioner submits that no application for anticipatory bail has earlier been rejected by the Hon'ble Court or is pending for disposal before the Hon'ble Court. Learned Advocate draws the attention of this Court to the affidavit relating to such fact. Ld. P.P.-in-charge does not dispute the submission of his ld. counterpart.

Ld. Advocate for the accused/petitioner further submits that the date of alleged incident took place on 19.07.2025 but the F.I.R. was lodged about 2 months later. He further submitted that the de facto complainant is a married lady having two children. The F.I.R. is totally false and motivated one and this accused/petitioner has been falsely implicated in this case. He, thus, has prayed for anticipatory bail of the accused/petitioner on any condition.

Ld. P.P.-in-charge refers to the C.D and raises objection.

Heard both sides.

Perused the petition and case record and C.D.

The allegation is of sexual assault on the de facto complainant by the accused/petitioner by putting her in fear of killing her son with sharp edged kartari in her house at the night. After lapse of more than 1 and ½ months, complaint was lodged by the de facto complainant as regards the sexual assault. No satisfactory explanation is seen as regards delay in lodging FIR. The statement of the de facto complainant recorded under Section 183 of B.N.S.S. does not enumerate within four corners that accused entered her room with any such weapon at the time of commission of alleged offence. Arrest of the accused/petitioner, in view of above factual matrix, does not appear to be necessary. More so, investigation has progressed substantially and his apprehension at this stage would serve no useful purpose in advancement of the course of investigation. I, therefore, considering the materials available in C.D. find no ground of refusing the prayer for anticipatory bail for the accused/petitioner. Accordingly, the prayer for anticipatory bail of the accused/petitioner is allowed.

In the event of arrest, the accused/petitioner namely, **Swapnadeep Das**, be released on bail by executing bond of **Rs. 5,000/-** with two registered sureties of **Rs. 2,500/-** each, **one of whom must be local**, subject to the satisfaction of arresting officer and on condition that he shall abide by the provisions as enumerated in section 482(2) of B.N.S.S. and **he shall surrender before the Court of ld. A.C.J.M., Contai, Purba Medinipur within one week from the date of passing of this order.** If on bail, **he shall meet the I.O. of this case once a week till submission of charge sheet, i.d., the order for bail shall automatically stand cancelled.**

Crl. Misc. Case stands disposed of.

C.D. & T.C.R be returned.

Let a copy of this Order, along with the T.C.R., be sent to the Ld. A.C.J.M., Contai, Purba Medinipur for information and necessary action.

Dictated & corrected by me,

Sd/-

Sessions Judge-in-Charge,
Purba Medinipur.

Sd/-

Sessions Judge-in-Charge,
Purba Medinipur.