

In the Court of Ld Additional Sessions Judge, Diamond Harbour, South 24 Parganas  
CMC 111 of 2026  
arising out of Mandir Bazar PS Case No 36 of 2026  
GR No 328 of 2026  
u/s 64(2)(m)/ 351(2)/ 351(3) of BNS, 2023  
State Vs Gobinda Naskar

Order No 2  
11/03/2026

Today is fixed for hearing on the bail petition u/s 483 BNS filed on behalf of the accused person namely Gobinda Naskar.

Ld Advocate for the accused/petitioner and the Ld. PP in charge both are present.

Record is taken up for hearing.

Heard Both sides.

CD produced.

At the very beginning Ld Advocate for the above-named accused person/petitioner submitted that no bail application is either filed or pending before any higher forum and that the accused person is in custody since 04.02.2026 and that the accused has been falsely implicated in this case. It is further submitted that the story narrated in the FIR itself makes it clear that there had been a relation between the victim girl and the accused for a period of about two years owing to which there had been physical intercourse between them and as such everything was consensus and so the accusation u/s 64 (2)(m) BNS, 2023 shall not attract in this case. He further submitted that considering the period of detention of the accused, he may be enlarged on bail on any condition as would be deemed fit and proper by this court.

By raising objection Ld PP in charge submitted that the nature of the offence is very serious and grave and the investigation since being still continuing, the accused should not be enlarged on bail.

As a matter of fact this is a case u/s 64(2)(m)/ 351(2)/ 351(3) of BNS, 2023. The CD reveals that there has been no progress in investigation since 22.02.2026. During the course of investigation so far, the IO is found to have collected no electronic evidence pertaining to the allegation of black-mailing by showing half nude photograph of the victim girl which the latter allegedly sent to the former through Face Book. It further appears that the relationship between the accused and the victim girl continued for about two years during which the victim girl was allegedly subjected to physical intercourse on diverse occasions showing her nude photographs. As per the case of the prosecution the last incident of forceful intercourse took place on 23.12.2025 and on 31.12.2025 the accused tried to abduct her from her house when she started screaming and the accused fled away. The FIR however was lodged on 03.02.2026 that is almost 43 days after the last incident and that to without mentioning any plausible explanation of such delay.

Upon considering everything as mentioned above and specially taking note of no further development in investigation since 22.02.2026, I am inclined to offer interim bail to the accused with certain conditions to be mentioned hereunder.

Hence, it is,

Ordered

that the application u/s 483 BNSS registered as CMC No 111/2026 is hereby allowed and accordingly disposed of.

The accused person/petitioner may find an interim bail of Rs.5,000/- with two sureties of Rs.2,500/- each out of which one must be **local/cash** subject to the satisfaction of Ld. ACJM, Diamond Harbour with further condition that he shall appear before the Court of Ld. ACJM, Diamond Harbour on each and every date and shall not enter the jurisdiction of Mandir Bazar PS and shall meet the OC of the police station within whose jurisdiction he shall be residing during his release on bail, once in a fortnight till submission of charge sheet, and shall not tamper the prosecution evidence and shall not intimidate the witnesses under any circumstances and shall comply with the provision of section 480 (3) of BNSS.

The interim bail shall remain in force till 17.04.2026.

Ld. ACJM, Diamond Harbour shall be at liberty to extend or confirm the interim bail and shall further be at liberty to modify any condition of the interim bail depending on the overall conduct of the accused person.

Return the CD.

Let a copy of this order along with LCR be sent back to Ld. ACJM at Diamond Harbour for information and necessary action.

Dictated and corrected by me:

Sd/-

Dhiman Barman (WB00923)  
Additional Sessions Judge(I.C)  
Diamond Harbour, S. 24 Parganas

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Additional Sessions Judge(I.C)  
Diamond Harbour, S. 24 Parganas