



ITEM NO.43

COURT NO.7

SECTION II-B

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.10288/2026

[Arising out of impugned final judgment and order dated 21-08-2025 in CRM(A) No. 2557/2025 passed by the High Court at Calcutta]

ABHIJIT BAGDI

Petitioner(s)

VERSUS

STATE OF WEST BENGAL & ANR.

Respondent(s)

IA No. 73906/2026 - CONDONATION OF DELAY IN FILING

Date : 12-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :Mr. Santhosh K, Adv.  
Mr. Avinash Kumar, Adv.

Diary No.10288/2026

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Mr. Shaji J Kodankandath, Adv.  
Ms. Shashi Bala, Adv.  
Mr. Praveen Chaudhary, Adv.  
Mr. Nishe Rajen Shonker, AOR

For Respondent(s) : Mr. Prashant Alai, Adv.  
Mr. Kunal Mimani, AOR  
Mr. Abhinav Rana, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. Delay condoned.

2. The petitioner has been denied anticipatory bail by the High Court in connection with Kandi Police Station Case No.78/2025, Murshidabad, registered for the offences punishable under Sections 137(2), 140(3) 96 and 127(3) of the Bharatiya Nyaya Sanhita, 2023 (for short, "the BNS, 2023"), respectively and Section 6 of the Protection of Children from Sexual Offences Act, 2012 (for short, "the POCSO Act").

3. It appears that although police was unable to

arrest the petitioner in connection with the crime as alleged, yet it completed the investigation and filed chargesheet.

4. The filing of the chargesheet culminated in Special Case No.12/2025 pending as on date in the Court of the Additional District Judge, Special Court, POCSO, Kandi, Murshidabad.

5. It appears that at the time of the alleged incident the petitioner was aged 24 years and the victim was aged 15 years, respectively. Both are neighbours.

6. We heard the learned counsel appearing for the petitioner and Mr.Prashant Alai, the learned counsel appearing for the State.

7. In the facts and circumstances of this case, we order that in the event of arrest of the petitioner in connection with the offence enumerated above, he shall be released on bail subject to terms and conditions

that the Investigating Officer (I.O.) may deem fit to impose.

8. Once the accused is released by the I.O., the petitioner shall thereafter, appear before the Trial Court and furnish fresh bail with surety/sureties.

9. With the aforesaid, the Special Leave Petition is disposed of accordingly.

10. Pending application(s), if any, stands disposed of.

(CHANDRESH)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)