

17.09.2026
Sl. No. 411
Court No.35
Rohan
(Rejected)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE**

C.R.M.(M) 2115 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mothabari Police Station Case No. 270 of 2026 dated 07.04.2026 for the offences punishable under Sections 318(2)/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2026 and Section 6 of the POCSO Act.

-And-

In the matter of: Kaba Sk @ Kabatulla Sk @ Kabatulla @ Kaba
...Petitioner

Mr. Musarraff Alam Sk
Mr. Apan Saha
Mr. Sk. Sarfaraj Nawaj
Mr. T. Ahemed

...for the Petitioner

Mr. Pradeep Kumar ISngh
Mr. Ayan Mitra

...for the State

1. Affidavit of service submitted be kept with the record.
2. Learned advocate appearing for the petitioner submits that the petitioner was arrested on April, 2026 and is in custody for about five months. Charge-sheet has not been submitted. There was a relationship, according to the learned advocate, which after turning sour, the present case has been registered.
3. Learned advocate for the State has produced the case diary and has drawn the attention of this Court to the statement of the victim as well as the medico-legal report.

4. On assessment of the same and the stage of the case, when the evidence of the victim is yet to be recorded, I am of the opinion that the petitioner cannot be released on bail at this stage.
5. As such, the prayer for bail of the petitioner, namely, **Kaba Sk @ Kabatulla Sk @ Kabatulla @ Kaba** is **rejected**.
6. Accordingly, **CRM (M) 2115 of 2026** is **dismissed**.
7. Memo of evidence submitted be kept with the record.
8. All parties shall act in terms of the server copy of the order downloaded from the official website of this Court.
9. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)