

7.
25-03-2025
(ct. no.29)
debajyoti
(allowed)

CRM (DB) 179 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Baguiati Police Station Case No.509 of 2024 dated 25-08-2024 under Section 95 of the Bharatiya Nyaya Sanhita read with Sections 4/6/12/14/15 of the Protection of Children from Sexual Offences Act.

- A n d -

In the matter of : Tunir Majumdar

.... Petitioner.

Mr. Milon Mukherjee, Sr. Adv.,
Mr. Biswajit Manna

... For the Petitioner.

Mr. Saibal Bapuli, learned APP,
Mr. Shashankha Shekhar Saha

... For the State.

Mr. Soumajit Chatterjee

... For the defacto complainant.

Dictated by Arijit Banerjee, J.

1. Report filed by the State is taken on record.
2. The petitioner says that he is in custody for 211 days. Even charge has not been framed. There are 11 charge sheet named witnesses. There is no possibility of an early conclusion of the trial. The next date fixed is August 25, 2025. He prays for bail.
3. Learned Additional Public Prosecutor and learned advocate for the defacto complainant oppose the prayer. They say that supplementary charge sheet was filed on March 21, 2025 incorporating charges under the IT Act. The petitioner circulated obscene pictures of the victim girl. There is strong evidence against him.
4. We have considered the facts and circumstances of the case. It is the admitted position that the victim girl and

the petitioner were in a relationship. It also appears from the material in the Case Diary that the victim girl sent her pictures to the petitioner which the petitioner allegedly circulated in the social media. Therefore, we see that it is not the case that the petitioner took obscene pictures of the victim girl and made it public. All relevant evidence would have been collected by now by the investigating agency since charge sheet and supplementary charge sheet have been filed.

5. In the facts and circumstances of the case, we are of the view that further custodial detention of the petitioner is not necessary.

6. Accordingly, we direct that the petitioner, namely, **Tunir Majumdar**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Judge, Special Court under POCSO Act, Barasat, North 24-Parganas. The petitioner shall appear before the learned trial Court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit any cognizable offence in any manner whatsoever. While on bail, the petitioner shall not leave the jurisdiction of New Town Police Station except for the purpose of attending the court proceedings and shall appear before the Officer-in-Charge/Inspector-in-Charge of New Town Police Station once in a week, until further orders.

7. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

8. The application for bail is, thus, **allowed**.

9. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

10. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)