

38. 28.02.2025
Court
No.29 (Tanmoy)

Allowed

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

CRM (DB) 319 of 2025

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Sutahata** Police Station Case No.**396/2024** dated **30.11.2024** under Sections **329(4)/126(2)/74/64/351(2)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of: - **PANKAJ RANA @ PINTU**

...petitioner.

Mr. A.K. Samanta

...for the petitioner.

Mr. Suman De

Mr. Anindya Sundar Chatterjee

...for the State.

Dictated by Apurba Sinha Ray, J.

1. Service report filed by the State in Court today be kept with the records. In spite of service, nobody appears for the *de facto* complainant/victim.
2. Learned Counsel for the petitioner submits that the petitioner is in custody for about 86 days. He has been falsely implicated in this case. As the investigation is almost complete, the petitioner may be enlarged on bail on any condition that this Court may decide.
3. Learned Counsel for the State raises objection. However, he fairly submits that the victim girl has refused her medical examination.
4. We have considered the materials on record including the statement of the victim girl recorded under Section 164 of the

Criminal Procedure Code, 1973 / Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023, from which it appears that the victim girl refused to undergo any medical examination.

5. On an overall assessment of the materials on record and seeing that investigation is almost complete, we are inclined to allow the petitioner's prayer for bail on certain conditions.
6. Accordingly, we direct that the petitioner, namely, **PANKAJ RANA @ PINTU**, 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 the learned Additional Chief Judicial Magistrate, Haldia, Purba Medinipur, subject to condition that the petitioner shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioner, while on bail, shall not enter the territorial jurisdiction of Sutamata Police Station, until further orders and shall furnish his present address to the Officer-in-Charge/Inspector-in-Charge of the said Police Station as well as to the learned Trial Court.
7. In the event the petitioner fails to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

8. The application for bail being CRM (DB) 319 of 2025 is accordingly disposed of.
9. Criminal Section is directed to supply urgent photostat certified copies of this order to the parties, if applied for, upon compliance with all requisite formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)