

25.02.2025
Item no. 298.
Court No.29.
AB
(Allowed)

CRM (DB) 308 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haroa Police Station Case No.526 of 2024 Dated 17.11.2024 under Section 329(4)/78/62/64 of the B.N.S. 2023 read with Section 12 of the POCSO Act

And

In the matter of : Byasdeb PramanickPetitioner.

Mr. Kallol Kr. Basu,
Mr. Jannat Ul Firdousfor the Petitioner.

Mr. Iqbal Kabir,
Ms. Sana Naazfor the State.

Dictated by Arijit Banerjee, J.

1. Service Report filed by the State, be kept with the records. In spite of service, nobody appears for the defacto complainant/victim.
2. We have seen the statement of the victim girl recorded under Section 183 B.N.S.S. 2023. There is not a whisper of any sexual assault. Investigation is complete and charge sheet has been submitted. Medical examination was refused by the victim girl. We see no reason to further detain the petitioner in judicial custody.
3. Accordingly, we direct that the petitioner, namely **BYASDEB PRAMANICK** shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under

the POCSO Act at Basirhat, North 24 Parganas, and on further conditions that he shall remain within the jurisdiction of the concerned Police Station and shall meet the Officer in Charge of the concerned Police Station once in a fortnight until further orders.

4. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
5. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this Court.
6. The application for bail is, accordingly, allowed.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)

