

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 356 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 **Baishnabnagar** Police Station Case No.**690/2024** dated **17.07.2024** under Sections **137(2)/140(3)/87** of the BNS, 2023 & Section 6 of the POCSO Act, 2012 & Section 9 of the Child Marriage Act, 2006.

And

In the matter of: - **Debjyoti Mandal @ Bittu.**
...petitioner.

Mr. Avinaba Patra
...for the petitioner.

Mr. Subhadeep Ghosh,
Ms. Papia Bhowmick
...for the *de-facto*.

Ms. Antarikshya Basu,
Mr. Santanu Talukdar
...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that there was a love affair between him and the victim girl. The victim girl left her parental house on her own. They got married. They lived in Delhi for some time. There was a dispute between the family of the petitioner and the victim girl. Such dispute has been resolved. Both the families have accepted the relationship between the petitioner and the victim girl.
2. Learned advocate appearing for the *de-facto* complainant supports the submission made on behalf of the petitioner. He

says that there was an issue between the two families concerning the relationship between the petitioner and the victim girl. However, the disputes and differences have been resolved. Both the families now look forward to a matrimonial relationship between the petitioner and the victim girl.

3. In view of the aforesaid, we see no justification in detaining the petitioner in judicial custody any further, particularly when the investigation is complete and charge-sheet has been filed.
4. Accordingly, we **allow** the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Debjyoti Mandal @ Bittu.** 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 *Additional District & Sessions Judge, 2nd Court, Special Judge, POCSO Court, Malda.* 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 the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.
6. 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.

7. The application for bail being CRM (DB) 356 of 2025 is, thus, disposed of.
8. It appears from above that a false complaint was lodged by the *de-facto* complainant. We direct the learned trial court to look into the matter and if it is found that the *de-facto* complainant lodged a false complaint, then to take appropriate action against him in accordance with law, including action under Section 340 Cr.P.C.
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.)