

25. 20.03.2025
Court
No.29 (Pritam)
(Allowed)

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

CRM (DB) 507 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 **Domkal** Police Station Case No.**834/2023** dated **11.12.2023** under Sections **363/365/376(3)** of the IPC, 1860 & Section 4 of the POCSO Act, 2012.

And

In the matter of: - **Minarul Molla.**

...petitioner.

Mr. Ranadeb Sengupta,
Mr. Sourav Bishnu

...for the petitioner.

Mr. Anisur Rahaman
Mr. H. Rahaman

...for the *de-facto*.

Mr. Bitasok Banerjee,
Ms. Puja Goswami

...for the State.

Dictated by Arijit Banerjee, J.

1. Status report filed by the State kept with the records.
2. The petitioner says that he has been falsely implicated. He has no role to play in the alleged kidnapping and sexual assault of the victim girl. He is in custody for 1 (one) year and 3 (three) months. Only 1 out of 17 charge-sheet named witnesses has

been examined. Both on the ground of delay and on merits, he prays for bail.

3. Opposing the prayer for bail, learned State advocate and learned advocate appearing for the *de-facto* complainant draw our attention to the statement of the victim girl recorded under Section 164 Cr.P.C. We have seen the medical report which, *prima facie*, does not support the prosecution case.
4. Considering the material on record, the period of detention of the petitioner and seeing that there is very little possibility of the trial concluding on an early date, we are of the view that further custodial detention of the petitioner is not necessary.
5. Accordingly, we **allow** the petitioner's prayer for bail.
6. Accordingly, we direct that the petitioner, namely, **Minarul Molla**, 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, Berhampore, Murshidabad*. 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. The petitioner shall not enter the territorial jurisdiction of *Domkal* Police Station and shall intimate his current local address to the I.O. as well as to the learned trial court where he will be residing while he will be on bail, until

further orders. The petitioner shall meet the Inspector-in-Charge/Officer-in-Charge of the jurisdictional police station once in every 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 being CRM (DB) 507 of 2025 is, thus, disposed of.
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.)