

24. 20.03.2025
Court
No.29 (Pritam)
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 504 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 **Sagarpara** Police Station Case No.**195/2024** dated **23.05.2024** under Sections **376/511** of the IPC, 1860 & Section 18 of the POCSO Act, 2012.

And

In the matter of: - **Rejaul Sk.**

...petitioner.

Mr. Arnab Chatterjee,
Ms. Dhanasree Biswas,
Ms. Poulami Bose

...for the petitioner.

Mr. Tapodip Gupta

...for the *de-facto*.

Mr. Arindam Sen,
Mr. S. Balial

...for the State.

Dictated by Arijit Banerjee, J.

1. Status report filed in Court today be kept with the records.
2. The petitioner says that he has been falsely implicated. The grandmother of the victim girl, who is the *de-facto* complainant, found out that there is a relationship between the victim girl's mother and the petitioner and therefore lodged this false complainant. He is in custody for 10 (ten) months. Not a single

charge-sheet named witnesses has been examined in full. He prays for bail.

3. Opposing the prayer for bail, learned State counsel draws our attention to the statement of the victim girl recorded under Sections 161 and 164 Cr.P.C. *Prima Facie*, the statements are not consistent with each other. The medical report *prima facie* does not support the prosecution case.
4. In view of the aforesaid and since the possibility of false implication cannot be ruled out and also considering that the petitioner is 60-year-old, we **allow** the petitioner's prayer for bail.
5. Accordingly, we direct that the petitioner, namely, **Rejaul Sk.** 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 (POCSO) 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 *Sagarpara* 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 of the jurisdictional police station once in every fortnight, until further orders.

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) 504 of 2025 is, thus, disposed of.
8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
9. 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.)