

04.04.2025
Item No.05.
Daily List
Court No.39
Mithun

CRM (DB) 527 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 Taherpur Police Station Case No.413 of 2023 dated 22.08.2023, under Sections 363/365/376/34/120B of the Indian Penal Code and Sections 6/17 of the Protection of Children from Sexual Offences Act, subsequently charge sheet submitted under sections 363/376(2)(n) of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, corresponding to POCSO Trial No.03(06) 2024.

-And-

In the matter of : XXXX

... Petitioner

Mr. Dipanjan Chatterjee,
Mr. Snehansu Majumder

... ... for the Petitioner

Mr. Debobrata Chatterjee,
Mr. Nirupam Dhali

... ...For the State

Report filed by the State through S.I. of Police, Taherpur P.S. is taken on record.

Learned Advocate for the petitioner submits that he is in custody for one year. The FIR has been lodged after a considerable period of the incident. There is no such explanation of such delay. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that as per the statement of the victim and her evidence before the Court, there are serious allegations against the petitioner of his involvement in the alleged offence.

Perused the Case Diary.

It is found from the statement of the victim recorded under Section 164 of the Cr.P.C. that there are allegations against the petitioner of kidnapping her and then commissioning forcible sexual intercourse which has also been stated by the victim at the time of her examination. The victim due to such sexual intercourse became pregnant and gave birth to a male child.

Considering the above materials and gravity of the offence, I am not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail being **CRM(DB) 527 of 2025** stands dismissed.

Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)