

10.03.2025
Item no.63.
Court No.29.
S. De

CRM (DB) No. 546 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Pandu Soren. ...Petitioner.

Mr. Sujoy Sarkar,
Mr. Musharaf Alam,
Ms. Sneha Srivastava,
Ms. Debolina Goswami, ...for the Petitioner.

Ms. Baishali Basu,
Mr. Raju Mondal, ...for the State.

Dictated by Prasenjit Biswas, J.

1. Service report filed by the State be kept with the record. In spite of service, nobody appears for the de facto complainant/victim girl.
2. Petitioner says that he is in custody for 10 months 9 days. Investigation process is over. Charge has already been framed by the Trial Court and witness action begun. There is no immediate chance for conclusion of the trial. So, no purpose will be served by detaining this accused petitioner behind the bar.
3. Learned advocate for the State raises objection by submitting that there are sufficient incriminating materials in the case diary which show about prima facie involvement of this accused petitioner with the alleged offence. Our attention is drawn to the medical report of the victim as well as the statement recorded under Section 164 Cr.P.C. (Section 183 of the B.N.S.S.). The

victim was 5 years old at the time of incident. Trial has already commenced and if at this stage this accused petitioner is enlarged on bail then there is every chance of tampering of evidences.

4. Perused the materials-on-record. We have gone through the medical document of the victim including the statement recorded under Section 164 Cr.P.C. (Section 183 of the B.N.S.S.). The offence involved in this case is serious in nature. Keeping in mind the complicity of this accused petitioner with the alleged offence we are not inclined to enlarge the accused petitioner on bail.
5. CRM (DB) 546 of 2025 is dismissed.

(Prasenjit Biswas, J.)

(Arijit Banerjee, J.)