

25.04.2025
Item No.11.
Daily List
Court No.39
Mithun
(Rejected)

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

CRM (DB) 625 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 D.R. No.3821 of 2023 and POCSO Case No.83/2023 under Sections 448/376(3)/325/34 of the Indian Penal Code, 1860/under Sections 329(4)/65(1)/3(5) of the Bharatiya Nyaya Sanhita 2023 and section 4 of the POCSO Act, 2012 arising out of Kaliganj Police Station Case No.468 of 2023 dated 21.07.2023.

-And-

In the matter of : XXXXX

... Petitioner

Mr. Achyut Basu,
Mr. Jamaluddin Ahmed,
Ms. Punam Basu,
Mr. Srikumar Chakraborty,
Mr. Tirtharaj Ghosal

...for the petitioner

Mr. Sumanta Das

...for the *de facto* complainant

Mr. Debobroto Chatterjee,
Mr. Nirupam Dhali

... ...for the State

Learned Advocate for the petitioner submits that the victim and the petitioner had love relations and they married each other. The victim resided along with the petitioner in the petitioner's father's house for 2 years. There are no such incriminating materials against the petitioner. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State submits that as per the statement of the victim, there are specific allegations against the petitioner of sexual exploitation and threatening which is also stated by other witnesses. He seeks for dismissal of the bail application. Further the victim girl has already been recovered pursuant to the order passed by this Court from the house of the petitioner.

Learned Advocate representing the *de facto* complainant also opposes such prayer for bail.

Perused the case diary and the materials on record.

It is found from the statement of the victim recorded under Section 164 of the Cr.P.C. that there is specific allegation against the petitioner of his involvement in the alleged offence of rape. Considering the above materials and nature 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) 625 of 2025** stands dismissed.

Appearance of the Investigating Officer is dispensed with.

(Bivas Pattanayak, J.)