

05.05.2025
Item No.10.
Monthly List
Court No.39
Mithun
(Rejected)

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

CRM (DB) 634 of 2025

In re : An Application under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 corresponding to Section 439
of the Code of Criminal Procedure, 1973/ in connection with
C.Spl No.90 of 2021 arising out of Hariharpara Police Station
Case No.296 of 2021 dated 04.08.2021 under Sections
363/365 of the Indian Penal Code, subsequently charge
sheeted under Sections 363/365 of the Indian Penal Code
adding Section 04 of the Protection of Children from Sexual
Offences Act, thereby rejecting the prayer for bail of the
petitioner.

-And-

In the matter of : Janarul Sk

... Petitioner

Ms. Minoti Gomes,
Mr. Golam Nure Imrohi

...for the petitioner

Mr. Ranadeb Sengupta,
Mr. Sharequl Haque

... ...for the State

Affidavit of service filed on behalf of the petitioner is taken
on record.

Status report filed on behalf of the State is also taken on
record.

Learned Advocate for the petitioner submits that there is
variance in the statement of the victim recorded before the
Magistrate vis-a-vis her deposition in Court. She seeks for
enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the
State submits that the victim was abducted and taken to

Chennai where she was ravished. The victim has consistently stated of such fact in her statement before the Magistrate as well as in Court. He seeks for dismissal of the application.

Despite service, none appears on behalf of the *de facto* complainant.

Perused the Case Diary and materials on record.

The statement of the victim implicates the petitioner of abduction and causing rape upon her. Such fact has also been stated by the victim in her deposition in Court. 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 status report reveals that 7 out of 15 witnesses have been examined on behalf of the prosecution and 6 more witnesses are to be examined.

In view of the above, the Trial Court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournments.

Parties are directed to co-operate in the trial for examination of prosecution witnesses.

Parties are at liberty to communicate this order to the learned trial court.

The application for bail being **CRM(DB) 634 of 2025** stands dismissed.

(Bivas Pattanayak, J.)