

65. 20.03.2025
Court
No.29 (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 690 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 **Malda** Police Station Case No.**517/2024** dated **24.07.2024** under Sections **137(2)/140(3)/351(3)** of the BNS Act, 2023 & Sections 6 of the POCSO Act, 2012 & Sections 9/10 of the Prohibition of the Child Marriage Act, 2006.

And

In the matter of: - **Jhantu Mandal.**

.....petitioner.

Mr. Biswajit Tiwari

.....for the petitioner.

Mr. Tapan Dutta Gupta,
Mr. Parvej Anam,
Ms. Puspa Rani Jaiswara

...for the *de-facto*.

Ms. Shila Afrin,
Ms. Srilekha Chattopadhyay

....for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. There was a love affair between him and the victim girl. They even got married. He is in custody for more than 7 (seven) months. He prays for bail.
2. Learned advocates for the State and the *de-facto* complainant draw our attention to the statement of the victim girl recorded under Section 164 Cr.P.C. Far from talking about love affair, she

squarely implicates the petitioner by saying that she was lured away by the petitioner and he forcibly married her and repeatedly ravished her.

3. We are told that charge has been framed and witness action will begin soon. In fact, yesterday (19.03.2025) was the next date fixed by the learned trial court. However, the learned advocates for the parties could not apprise us what transpired yesterday. Be that as it may, we see that the vulnerable witnesses are yet to be examined.
4. Therefore, we are not inclined to entertain the petitioner's prayer for bail, at this stage.
5. The prayer for bail is, thus, **rejected**.
6. CRM (DB) 690 of 2025 is disposed of.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)