

03.04.2025
Item No.10.
Daily List
Court No.39
Mithun

CRM (DB) 709 of 2025

In re : An Application for **Bail** under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023,in connection with Jhargram
Women Police Station Case No.5 of 2025 dated 09.01.2025
under Section 64 BNS and read with Section 6 of the Protection
of Children from Sexual Offences Act, 2012.

-And-

In the matter of : Sanatan Mandi

... Petitioner

Mr. Angshuman Chakraborty,
Mr. Amanul Islam,
Mr. Sourav Mukherjee

... ... for the Petitioner

Ms. Amita Gaur,
Mr. Ejaz Akhtar

... ...For the State

State files service report in compliance to previous order
dated 25th March, 2025.

Mr. Angshuman Chakraborty, learned Advocate for the
petitioner submits that there are no allegations made by the
victim against the petitioner in her statement. The FIR has been
initiated by the hospital authorities after the victim was admitted
to the hospital with pregnancy. The victim and the petitioner
had love relationship and there was no such forcible act on the
part of the petitioner. He prays for enlargement of the petitioner
on bail.

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

Ms. Amita Gaur, learned Advocate for the State submits that though the victim had stated in her statement under Section 164 Cr.P.C. for releasing of the petitioner, yet the parents of the victim in their statement have made serious allegations against the petitioner of his involvement in the alleged offence. Further the victim was admitted to the hospital with vaginal tear. In such circumstances, she prays for dismissal of the application.

Perused the Case Diary.

It is found that the victim in her statement recorded under Section 164 Cr.P.C. has stated for release of the petitioner. Be that as it may, the statement of the parents recorded under Section 161 Cr.P.C. discloses serious allegations against the petitioner of forcible act upon the victim. The medical report clearly shows of lateral vaginal wall tear, ruptured hymen and the vaginal wall tear has been repaired. Considering the aforesaid materials as above, 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) 709 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.)