

53. 25.03.2025
Court
No.29 (Pritam)
(Rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 734 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 **English Bazar** Police Station Case No.**1327/2024** dated **19.09.2024** under Section 506 of the IPC, 1860 & Sections 17/6 of the POCSO Act, 2012.

And

In the matter of: - **Adi Sarkar.**

.....petitioner.

Mr. Sobhendu Sekhar Roy,
Mr. Amarendra Chakraborty

...for the petitioner.

Mr. Amit Ranjan Pati

...for the *de-facto*.

Mr. Bitasok Benerjee,
Ms. Suchismita Dutta

....for the State.

Dictated by Apurba Sinha Ray, J.

1. The petitioner has submitted that he is in custody for about 187 days. Investigation is complete. There is no necessity for further custodial detention of the petitioner.
2. Learned advocate for the *de-facto* complainant and the learned State advocate oppose the prayer for bail. The learned advocate for the State has drawn our attention to the statement of the victim girl recorded under Section 164 Cr.P.C. According to him, there are sufficient incriminating materials against the present

petitioner. If the petitioner is enlarged on bail, the prosecution may suffer.

3. We have considered the materials on record and the said victim girl has clearly implicated the present petitioner that they have been forced to undergo penetrative sexual intercourse with the petitioner after being drugged.
4. Considering the materials on record, we find *prima facie* involvement of the petitioner with the minor victim girl, 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) 734 of 2025 is disposed of.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)