

25.04.2025  
Item No.12.  
Daily List  
Court No.39  
Mithun  
(Rejected)

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

**CRM (DB) 733 of 2025**

In re : An Application for bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to erstwhile 439 of the Code of Criminal Procedure, 1973 in connection with Special Case No.01 of 2025 arising out of Hirbandh Police Station case no.69 of 2023, dated 28.12.2023, under sections 363/365 of the Indian Penal Code in which charge-sheet was submitted under sections 363/365/376(2)(n) of the Indian Penal code and under Section 6 of the POCSO Act, 2012.

-And-

**In the matter of : Sudip Das**

... Petitioner

Mr. Arkaprabho Roy,  
Mr. Soujanya Pattanayak

...for the petitioner

Mr. Anish Roy

...for the respondent no.2.

Mr. Rana Mukherjee,  
Mr. Soumya Basu Roy Chowdhuri

... for the State

Learned Advocate for the petitioner submits that the petitioner and the victim had love relation and the victim out of her own accord went away with the petitioner. There is no incriminating material against the petitioner. The petitioner is in custody for 1 year 3 months 23 days and only one witness has been examined. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that this petitioner took away the victim and subsequent thereto she was subjected to sexual intercourse, resulting in her pregnancy. He seeks for dismissal of the bail application.

Learned Advocate representing the *de facto* complainant leaves the matter to the discretion of this Court.

Perused the case diary and the materials on record.

As per the statement of the victim recorded under Section 164 of the Cr.P.C. as well as in her deposition in Court, the victim had a love relationship with the petitioner. Although the victim had not deposed of any physical relationship but after she was recovered, she was found to be pregnant and she suffered miscarriage. 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) 733 of 2025** stands dismissed.

The Trial Court is directed to expedite the trial and conclude the same at an early date.

**(Bivas Pattanayak, J.)**