

02.04.2025
Item no.11
Court No.39
ss

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

C.R.M.(DB) 787 of 2025

In Re:- An application under Section 439 of the Code of Criminal Procedure 1973/Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Titagarh Police Station Case No.437 of 2023 dated 10.09.2023 under Sections 376/228A of the Indian Penal Code read with Sections 4/8/12 of the Protection of Children From Sexual Offences Act, 2012.

And

In Re : Akash Shaw

.... Petitioner

Mr. Debasis Kar
Mr. Husen Mustafi
Mr. Arka Tilak Bhadra

....for the petitioner

Ms. Rituparna De Ghosh
Ms. Suruchi Saha

..... for the State

In compliance to the earlier order dated 25th March, 2025 the State furnishes a report of service, which is taken on record.

Mr. Debasis Kar, learned Advocate for the petitioner submits that the petitioner is in custody for a considerable period, however, there is no progress in the trial. Though there are allegations in the written complaint that the obscene video of the victim was put in the social media, the F.I.R. has not been initiated under the provisions of Information Technology Act. The petitioner and the victim are in relationship over last three years. In view of the period of detention of the petitioner, he should be enlarged on bail.

Ms. Rituparna De Ghosh, learned Advocate for the State submits that as per the statement of the victim there are serious

allegations against the petitioner including putting the obscene video of the victim in the social media, which is also corroborated by the statement of other witnesses including the statement of one witness recorded under Section 164 Cr.P.C., who has received such video in his mobile phone. She prays for dismissal of the application. She files a status report of the trial, which is taken on record.

Perused the case diary.

It appears that there are serious allegations against the petitioner of his involvement in the alleged offence and also of putting the obscene video of the victim on the social media, which is also revealing from the statement of other witnesses.

Considering the aforesaid materials and gravity of the offence, this Court is not inclined to enlarge the petitioner on bail.

It is found from the status report that the date is fixed on 24th April, 2025 for framing of charge.

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

Accordingly, the prayer for bail of the petitioner is rejected.

The application for bail being **CRM (DB) 787 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.)