

25.04.2025
Item no.41
Court No.39
ss
(Dismissed)

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

C.R.M.(DB) 936 of 2025

In Re:- An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tapan Police Station Case No.440 of 2024 dated 23.09.2024 under Section 65(2) of the Bharatiya Nyaya Sanhita, 2023 read with Section 6 of the Protection of Child from Sexual Offences Act, 2012.

And

In Re : Hajrat Ali @ Hazrat Ali

.... Petitioner

Mr. Koushik Choudhury

....for the petitioner

Mr. Siladitya Banerjee

Ms. Pallavi Priyadarshee

..... for the State

Affidavit of service filed on behalf of the petitioner is taken on record. It is found that the service upon the *de facto* complainant has been effected in English language.

Service report filed by the State is taken on record. The service has been effected upon the *de facto* complainant in the language he could comprehend.

Learned Advocate for the petitioner submits that there is variance in the statement of the victim made before the Magistrate and before the attending doctor. The petitioner is in custody for 213 days. He seeks for enlargement of the petitioner on bail.

Opposing such prayer, learned Advocate for the State submits that there are serious allegations against the petitioner. He seeks for dismissal of the bail application.

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

Perused the case diary and materials on record.

The victim at the time of incident was 4 years of age. The victim has categorically stated in her statement of the overt act of the petitioner which has also been stated before the attending doctor during her medical examination. Considering the above materials and the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

Accordingly, the bail prayer is rejected.

The application for bail being **CRM (DB) 936 of 2025** stands dismissed.

(Bivas Pattanayak, J.)