

25.04.2025

Sl No.39

Ct. No.39

ss

(Allowed)

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

CRM (DB) 914 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sankrail Police Station Case No.1000 of 2024 dated 30.12.2024 under Sections 137(2)/140(3)/61(2) of Bharatiya Nyaya Sanhita, 2023 and under Section 6 of the Protection of Children from Sexual Offences Act.

And

In Re : Sk. Ramiz Raja @ Nawab

.....Petitioner

Md. Wasim Akram
Ms. Sabrina Parveen

.....for the Petitioner

Mr. Saryati Datta
Mr. Sourat Nandy

.....for the State

Ms. Reshmi Khatun

... for the *de facto* complainant

Learned Advocate for the petitioner submits that the victim and petitioner had love affair. There is no incriminating material against the petitioner. Upon completion of investigation, charge-sheet has been submitted. The petitioner is in custody for 115 days. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposes such prayer for bail and submits that the petitioner took away the victim girl. He seeks for dismissal of the bail application.

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

Perused the case diary and the materials on record.

Upon going through the statement recorded under Section 164 of Cr.P.C. it is found that there is no such allegation against the petitioner of any forcible sexual assault. The victim refused to undergo medical examination. Upon completion of investigation, charge-sheet has been submitted. The petitioner is in custody for 115 days. Considering the above, I am inclined to enlarge the petitioner on bail.

Accordingly, the petitioner, namely, **Sk. Ramiz Raja @ Nawab**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand), with two sureties of like amount each, one of whom must be a local, to the satisfaction of the learned Judge, Special Court, POCSO Act, Howrah subject to condition that the petitioner shall appear before the learned Trial Court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail in accordance with law without further reference to this Court.

Accordingly, the application for bail being **CRM (DB) 914 of 2025** is disposed of.

(Bivas Pattanayak, J.)