

March 24, 2025

1 ARDR
Allowed

CRM (SB) 32 of 2025

In Re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with **Mogra** Police Station Case No. 599 of 2024 dated 16/12/2024 under Section 75 of the BNS read with Sections 10/21(2) of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : Subhas Mouriya @ Subhas Maurya
... Petitioner.

Adv. Amit Ranjan Pati,
Adv. Hareem Fatema,
Adv. Mahelee Chattopadhyay,
Adv. Khaytud Kubra,
... for the Petitioner.

Adv. Mazhar Hossain Chowdhury,
...for the defacto complainant.

Adv. Manisha Shharma,
Adv. Ratul Ghosh
... For the State.

Report submitted by the State is taken on record.

The private opposite party is represented.

Learned counsel for the petitioner submits that the petitioner is in custody for 92 days. Evidence has commenced. His further detention is not required.

Learned counsel for the State produces the Case Diary and opposes the prayer for bail.

Learned counsel for the private opposite party also raises strong objection against the prayer.

It appears that charge sheet has been submitted on 11th February, 2025. Charges have been framed and witness action is yet to commence.

Considering the material on record as well as period of detention of the petitioner, this Court is of the view that further

detention of the petitioner is not required for the purpose of custodial interrogation. The petitioner may be granted bail on stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioner, namely, Subhas Mouriya @ Subhas Maurya , be released on bail upon furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, POCSO Court, Chinsurah, Hooghly, subject to the condition that the petitioner shall remain outside the jurisdiction of the district of Hooghly and shall furnish the address where he shall presently reside before the learned trial Court, the Investigating officer and the officer in charge of the police station under whose jurisdiction he shall presently reside. The petitioner shall enter the district of Hooghly only for the purpose of appearing before the learned trial Court on every date of hearing fixed by the learned Court. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as stated above, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail, being CRM (SB) 32 of 2025, is, thus, disposed of.

Case Diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)