

07.05.2025
Court No.39
Item No.24
Ab
(Allowed)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 975 of 2025

In Re:- An application for bail under Section 483 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 10.03.2025 in connection with Tapan Police Station Case No. 71 of 2025 dated 03.02.2025 under Sections 137(2)/65(2)(a)/140(3) of the Bharatiya Nyaya Sanhita, 2023 and read with Sections 6/17 of the Protection of Children from Sexual Offences Act, 2012 pending before the learned Additional District & Sessions Judge, 2nd Court Balurghat Dakshin Dinajpur cum Special Judge (under POCSO Act);

And

In the matter of :**Ganesh Chandra Shil and another.**
...Petitioners.

Mr. Amitabha Ghosh,
Ms. Nabonita Chatterjee.
...For the Petitioners.

Mr. Soumik Ganguly,
Ms. Afreen Begum.
...For the State.

Learned Advocate for the petitioners submits that there are no such incriminating materials against the petitioner, who are the friends of the principle accused. The petitioners are in custody for 70 days and upon completion of investigation, the charge-sheet has already been submitted. He seeks for enlargement of the petitioners on bail.

Learned Advocate for the State opposes such prayer and submits that the petitioners are the friends of principle accused who aided the petitioners to elope with the victim. She submits for dismissal of the present application for bail.

Despite service none appears on behalf of the de facto

complainant.

Peruse the case diary and the materials on record.

The statement of the victim does not implicate the petitioners, who are in custody for more than 70 days. Upon completion of the investigation, the charge-sheet has already been submitted. Considering the above, this Court is inclined to grant bail to the petitioners.

Accordingly, the petitioners, namely, **Ganesh Chandra Shil and Krishna Kole @ Kol**, be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand) each, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special POCSO Court, Balurghat, Dakshin Dinajpur subject to the condition that the petitioners shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses or temper with evidence in any manner whatsoever.

In the event the petitioners fail to adhere to any of the conditions stipulated above without any justifiable cause, the Trial Court shall be at liberty to cancel their bail in accordance with law without further reference to this Court.

Accordingly, the application for bail being **CRM (DB) 975 of 2025** is disposed of.

(Bivas Pattanayak, J.)

