

07.05.2025
Court No.39
Item No.25
Ab
(Allowed)

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

CRM (DB) 980 of 2025

In Re:- An application for bail under Section 483 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 11.03.2025 in connection with New Town Police Station Case No. 284 of 2023 dated 11.09.2023 under Sections 3/4/5/7 of the Immoral Traffic (Prevention) Act 1956 and Sections 4/6/17 of the Protection of Children from Sexual Offences Act, 2012;

And

In the matter of : **Tapan Mishra and another.**

...Petitioners.

**Mr. Angshuman Chakraborty,
Mr. S. S. Saha.**

...For the Petitioners.

**Mr. Sardar Shalim Imam,
Mr. Arup Sarkar.**

...For the State.

**Mr. Pritish Bandhopadhyay,
Mrs. Munmun Mondal,
Mr. Arpan Saha.**

...For the de facto complainant/victim

Service report filed by the State is taken on record.

Learned Advocate for the petitioners submits that the petitioner no. 1 is the employee of the hotel. Petitioner no. 2 has no nexus with the alleged offence. The evidence of the victim girl is exonerative in nature and there are no implications so far as the petitioners are concerned. Previously the bail prayer of the petitioner no.1 was rejected by this Hon'ble Court prior to the evidence of the victim girls. The hotel owner and one customer have been granted bail by this Hon'ble Court. He seeks for enlargement of the petitioners on bail.

Learned Advocate for the State opposes such prayer and

submits that there are materials against the petitioners of their involvement in the alleged offence of trafficking and sexual exploitations of the victim girls. The medical report shows injury to the victim girls. He seeks dismissal of the bail application.

Learned Advocate for the de facto complainant also submits in the similar fashion and opposes the prayer for bail.

Peruse the case diary and the materials on record.

The victim girls in their evidence have not made any specific allegation against these petitioners. Under such circumstances, I am inclined to enlarge the petitioners on bail.

It is made clear that the observation made hereinabove is only for sake of disposal of this application.

Accordingly, the petitioners, namely, **Tapan Mishra and Anirban Bose**, shall 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 local, to the satisfaction of the learned Judge, Special POCSO Court, Barasat, subject to condition that the petitioners shall appear before the Trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of Bharatiya Nagarik Suraksha Sanhita, 2023, and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and on further condition that the petitioners, while on bail, shall not enter the territorial jurisdiction of Barasat, North-24 Parganas except for the purpose of attending Court proceedings and shall furnish their present address, where they will be residing, to the Inspector-in-

Charge of New Town Police Station. Petitioner no.1 shall meet the Inspector-in-Charge of Egra Police Station once in a week and petitioner no.2 shall meet the Inspector-in-Charge of Lake Police Station once in a week, until further orders.

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) 980 of 2025** is disposed of.

(Bivas Pattanayak, J.)