

15. 13.05.2025
Court
No.39 (Tanmoy)

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 1022 of 2025**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973/Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Uttarpa PS Case No. 190/2024 dated 06.05.2024 under Section 376 of Indian Penal Code and Section 4 & 6 of Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: - **PARITOSH KARMAKAR**

...petitioner.

Mr. Sanjib Mitra
Ms. Cardina Roy

...for the petitioner.

Mr. Rana Mukherjee, APP
Mr. Anindya Sundar Chatterjee

...for the State.

Mr. Samim Ahammed
Mr. Arka Ranjan Bhattacharya
Ms. Gulsanwara Pervin

...for the victim.

1. Learned Advocate for the petitioner submits that he is in custody for almost one year without there being considerable progress in trial. He seeks for enlargement of the petitioner on bail.
2. Opposing such prayer for bail learned Advocate for the State submits that the victim, at the time of the incident, was six years of age and she is special child with 60% disability. The statement of the victim before the Magistrate implicates the

petitioner of his involvement in the alleged offence which is supported by the medical examination report. He seeks for dismissal of the application for bail.

3. Learned Advocate for the victim/*de facto* complainant also opposes the prayer for bail on the ground canvassed by the State.
4. Perused the case diary and the materials on record.
5. The victim, at the time of the incident, was six years of age. She is special child. The statement of the victim before the Magistrate implicates the petitioner of his involvement in the alleged offence of sexual assault upon the victim. Considering such materials on record and the gravity of the offence, I am not inclined to entertain the petitioner's prayer for bail.
6. The learned Trial Court is directed to expedite the trial to the fullest extent and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.
7. Parties shall co-operate with the trial during examination of witnesses.
8. Parties shall communicate this order to the learned Trial Court forthwith.
9. The application being CRM (DB) 1022 of 2025 is accordingly dismissed.

(BIVAS PATTANAYAK, J.)