

02.08.2025
Item no.4(DL)
Court No.42
srm
(Rejected)

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

C.R.M.(DB) 1133 of 2025

In Re: An Application for Bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tehatta Police Station Case No.537 of 2024 dated 23.07.2024 under Sections 64(2)(m)/318(2)/351(2) of the Bharatiya Nyaya Sanhita, 2023 and adding Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 67 of The Information Technology Act, 2000 and subsequently charge sheet submitted on 19.09.2024 under Sections 64(2)(m)/318(2)/351(2) of the Bharatiya Nyaya Sanhita, 2023 and adding Section 6 of the Protection of Children from Sexual Offences Act, 2012, presently pending before the learned Judge Special Court under POCSO Act, Tehatta, Nadia;

-And-

In the matter of : Alfaj Sk. @ Sekh

.... Petitioner

Mr. Santanu Talukdar,
Mr. Amanul Islam,
Mr. Sourav Mukherjee

...for the Petitioner.

Ms. Baisali Basu,
Mr. Kaustav Banerjee

...for the State.

Learned Advocate for the petitioner submits that the victim and the petitioner had previous love affairs. There are no such incriminating materials against the petitioner, who is in custody for last one year. Charge sheet has already been submitted in this case. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that the victim consistently implicates the

petitioner in her statement before the Magistrate as well as in the evidence. He seeks for dismissal of the application.

Despite service, none appears on behalf of the *de facto* complainant.

Perused the case diary and the materials on record.

The victim in her statement before the Magistrate though states of love relationship with the petitioner, however, she states of forcible sexual intercourse by this petitioner. There are also allegations of making videography of such act and blackmailing the victim. The aforesaid fact has also been stated by the victim during her examination in court. Considering the above incriminating materials and the nature and gravity of the offence, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to expedite the trial to the fullest extent and conclude the same at an early date without granting unnecessary adjournments to either of the parties.

Prosecution is directed to produce witnesses before the learned trial court as per schedule fixed for the examination of witnesses.

Parties are directed to cooperate with the trial court during examination of the witnesses.

The application for bail being **CRM (DB) 1133 of 2025** stands dismissed.

(Bivas Pattanayak, J.)