

23.04.2025
Court No.39
D/L 1
ab
(rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (R) 1 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 Halisahar P.S. Case No. 74 of 2024 dated 04.04.2024 under Section 6 of the POCSO Act.

And

In the matter of: **Jaleswar Shaw** **Petitioner.**

Mr. Debasis Kar,
Mr. Husen Mustafi
... For the Petitioner.

Ms. Shaila Afrin,
Mr. Manoranjan Mahata
... For the State.

Affidavit of service filed on behalf of the petitioner is taken on record. Service report filed by the State is also taken on record.

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

Learned advocate for the petitioner submits that out of grudge, the petitioner has been falsely implicated in this case. After completion of investigation, charge sheet has already been submitted in this case and the petitioner is in custody for about one year. He seeks for enlargement of the petitioner on bail.

Learned advocate for the State opposing such prayer for bail submits that as per statement of the victim recorded under Section 164 of the Code of Criminal Procedure, there are specific allegations against the petitioner. She seeks for dismissal of the bail application.

Perused the case diary and the materials on record.

The victim is aged about 5 years. From the Statement of the victim recorded under Section 164 of the Code of Criminal Procedure, there are serious allegations against the petitioner of his involvement in the alleged offence. Considering the materials as indicated above and bearing in mind the gravity of the offence, this Court is not inclined to enlarge the accused/petitioner on bail. The prayer for bail is rejected.

Accordingly, **CRM (R) 1 of 2025** is dismissed.

However, Trial Court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournments.

(Bivas Pattanayak, J.)