

16.04.2025
Item no.8
Court No.39
srm

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

C.R.M.(M) 45 of 2025

In Re:- An application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with
Basudebpur Police Station Case No.312/2024 dated 03.11.2024
under Sections 8/12 of the Protection of Children from Sexual
Offences Act, 2012;

And

In Re : XYZ

.... Petitioner

Mr. Debasis Kar,
Mr. Husen Mustafi

...for the Petitioner

Mr. Jaydip Biswas,
Mr. Karan Bapuli

... for the State.

Ms. Rituparna Ghosh

...for the *de facto* complainant.

Affidavit of service filed on behalf of the petitioner is taken
on record.

Learned Advocate for the petitioner submits that the
petitioner has been falsely implicated, inasmuch as, the
petitioner went to relieve himself of nature's call beside a place
where victim girls were playing. There are no incriminating
materials against the petitioner, who is languishing in custody
for last five months. Moreover, after completion of the
investigation charge sheet has been submitted in this case. He
seeks for enlargement of the petition on bail.

Learned Advocate for the State opposes such prayer for
bail and submits that the petitioner inappropriately touched one

of the victims and also exhibited his private parts which is evident from the statement of the victim girls. He seeks for dismissal of the application.

Prayer for bail is also opposed by the learned advocate for *de facto* complainant/victim.

Perused the case diary and the statement of the victim girl.

It is found that three victim girls are aged 7 years, 9 years and 12 years respectively. All the girls in their statements have categorically stated of the illegal act of the petitioner and his involvement in the offence alleged. Considering such materials as above and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

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

The application for bail being **CRM (M) 45 of 2025** stands dismissed.

Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)