

28.04.2025
Item No.1.
Daily List
Court No.39
Mithun
(Rejected)

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

CRM (M) 103 of 2025

In re : An Application under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with New Town
Police Station Case No.312 of 2024 dated 03.12.2024 under
sections 351(3)/3(5) of Bharatiya Naya Sanhita Act, 2023 and
under sections 4/6 POCSO Act, 2012.

-And-

In the matter of : Sri Sabuj Halder @ Kesta

... Petitioner

Mr. Sanjib Bondhopadhyay,
Mr. Manoj Kumar Mondal

...for the petitioner

Ms. Faria Hossain,
Mr. Sourat Nand

...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. It
is found that service has been effected upon the *de facto*
complainant.

Learned Advocate for the petitioner submits that the
petitioner and the victim had love affairs and the physical
relation is consensual. There is no incriminating materials
against the petitioner who is languishing in custody for last 146
days. Further, after completion of investigation, charge-sheet has
already been submitted. He seeks for enlargement of the
petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that the physical relationship of the victim was videographed and the victim was blackmailed. She informs the Court that tomorrow is the date fixed for framing of charge. She seeks for dismissal of the bail application.

Perused the Case Diary and materials on record.

Upon going through the statement of the victim recorded under Section 164 of the Cr.P.C. it is found that there are serious allegation against the petitioner of his involvement in the alleged offence and also of blackmailing the victim on the basis of videography. Considering the above materials and nature and gravity of the offence, I am not inclined to enlarge the petitioner on bail.

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

The application for bail being **CRM(M) 103 of 2025** stands dismissed.

Trial Court is directed to expedite the trial and conclude the same at an early date.

(Bivas Pattanayak, J.)