

24.04.2025
Court No.39
Item No.06

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

CRM (M) 82 of 2025

Ab

In Re:- An application for bail under Section 483 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 02.04.2025 in connection with Naihati Police Station Case No. 186 of 2024 dated 03.07.2024 under Sections 137(2)/65(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the Protection of Children from Sexual Offences Act, 2012;

And

In the matter of : **Suraj Shaw**

...Petitioner.

**Mr. Anit Dey,
Ms. Ritoma Paul Sarkar.**

...For the Petitioner.

**Mr. Sandip Chakraborty,
Mr. Atanu Ghosh.**

...For the State.

Mr. Samrat Choudhury.

...For the *de facto* complainant.

Learned Advocate for the petitioner submits that the petitioner and the victim had a love relation and the victim left her house out of her own accord. The petitioner is in custody for last six months. Upon completion of investigation, the charge-sheet has already been submitted in this case. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State submits that the victim at the time of incident was 14 years of age and she has been recovered from the house of the petitioner after three months. However, the medical examination has been refused. He seeks for dismissal of the bail application.

Learned Advocate for the *de facto* complainant leaves the matter to the discretion of the Court.

Perused the case diary and the materials on record.

As per the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, there are no such allegations implicating the petitioner in the alleged offence. After completion of investigation, the charge-sheet has already been submitted in this case and the petitioner is in custody for about six months. Considering the above, this Court is inclined to grant bail to the petitioner.

Accordingly, the petitioner, namely, **Suraj Shaw**, be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees ten thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special POCSO Court, Barrackpore subject to the condition that the petitioner shall appear before the learned trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions as stated above, the learned trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

Accordingly, the application for bail being **CRM (M) 82 of 2025** is disposed of.

(Bivas Pattanayak, J.)

