

30.04.2025
Sl No.9
Ct. No.39
srm
(Allowed)

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

CRM (M) 194 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 439 of the Code of Criminal Procedure, 1973 in connection with Balurghat Police Station Case No.435/2023 dated 30.05.2023 under Section 363 of the Indian Penal Code adding Section 365 of the Indian Penal Code read with Section 6 of POCSO Act, 2012;

And

In Re : Bipul Murmu

.....Petitioner

Ms. Busra Khatun

.....for the Petitioner.

Ms. Z. N. Khan,
Ms. Baishakhi Chatterjee

.....for the State.

Mr. Sunanda Bhattacharjee,
Ms. Ritu Das

...for the *de facto* complainant.

Service report along with status report filed by the State is taken on record.

Learned Advocate for the petitioner submits that the petitioner and the victim had previous love affairs and the victim left her house out of her own accord. The petitioner is in custody for 69 days. She seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposes such prayer for bail and submits that there are specific allegations against the petitioner of his involvement in the alleged offence. 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.

It is found that the victim in her statement has not made any implication of any forcible act of the petitioner. Upon completion of investigation, charge has already been submitted and the petitioner is in custody for 69 days. Considering the above, I am inclined to grant bail to the petitioner.

Accordingly, the petitioner, namely, **Bipul Murmu**, 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 a local, to the satisfaction of the learned Judge, Special POCSO Court, Balurghat, Dakshin Dinajpur subject to conditions that the petitioner shall appear before the learned Trial Court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner 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) 194 of 2025** is disposed of.

(Bivas Pattanayak, J.)