

02.05.2025
Item No.06.
Daily List
Court No.39
Mithun
(Rejected)

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

CRM (M) 188 of 2025

In re : An Application for the grant of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with C. Special Case No.153 of 2024 which is arising out of Domkal P.S. Case No.757 of 2024 dated 02.11.2024 under Sections 65(2) of the BNS read with Section 6 of the POCSO Act, now pending before the Ld. Judge, Special (POCSO) Court, Berhampore, Murshidabad.

-And-

In the matter of : Nur Nabi Mondal

... Petitioner

Mr. Arnab Kumar Neogi,
Mr. Amitava Karmakar,
Mr. Anirban Saha,
Mr. Sourav Samanta

...for the petitioner

Ms. Suveni Banerjee

...for opposite party no.2

Mr. Partha Pratim Das,
Ms. Debanik DAs

... ...for the State

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

Learned Advocate for the petitioner submits that there is delay in lodgment of the FIR. Upon completion of investigation, charge-sheet has already been submitted. The petitioner is in custody for last six months. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposes such prayer for bail and submits that the victim at the time of incident was seven-years old. As per the statement of the victim, there are specific allegations against the petitioner of his involvement in the alleged offence which is also supported by medical examination report. He seeks for dismissal of the bail application.

Learned Advocate representing the *de facto* complainant opposing such prayer for bail submits that there has been continuous threat from the side of the petitioner upon the family members of the victim and General Diary has been lodged before the concerned Police Station. She files copy of the General Diary which is taken on record.

Perused the Case Diary and materials on record.

The victim at the time of incident was seven-years old. The statement of the victim clearly implicates the petitioner of his involvement in the alleged offence of sexual assault upon the victim. Medical examination report is supportive of such fact. 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) 188 of 2025** stands dismissed.

(Bivas Pattanayak, J.)