

01.05.2025
Item No.07.
Daily List
Court No.39
Mithun
(Rejected)

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

CRM (M) 212 of 2025

In re : An Application under Section 439 of the Code of Criminal Procedure, 1973/ read with section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Malda Police Station Case No.12/2024 dated 08.01.2024 under sections 6 and 17 of the Protection of Children from Sexual Offences Act, pending before Learned Judge, Special Court, ADJ 2nd Court, Malda (Corresponding to POCSO Case No. 07/2024).

-And-

In the matter of : Rohit Ghosh

... Petitioner

Mr. Sagar Saha,
Ms. Nayana Mukhopadhyay

...for the petitioner

Mr. Sourav Mondal

...for the *de facto* complainant

Mr. Pravas Bhattacharya,
Mr. Subhajit Chowdhury

... ...for the State

Service report filed on behalf of the State is taken on record.

Learned Advocate for the petitioner submits that there are no direct allegations against the petitioner. The petitioner is the friend of the principle accused and no role in the alleged offence is attributed to the petitioner. He is in custody for 60 days. The principle accused has been granted statutory bail. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposes such prayer and submits that there are specific allegations against the petitioner. 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 materials on record.

Upon going through the statement of the victim, there are specific allegations against the petitioner of his involvement in the alleged offence. 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) 212 of 2025** stands dismissed.

(Bivas Pattanayak, J.)