

05.05.2025
Court No.39
M/L 4
ab
(rejected)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (M) 218 OF 2025

In Re: An Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Criminal Procedure Code, 1973 in connection with POCSO Case No.57 of 2023 arising out of Asansol GRPS Case No.80 of 2023 dated 29.10.2023 under section 376AB/354/354A of the Indian Penal Code, 1860 read with section 4/6/8 of POCSO Act, 2012 pending before the learned Judge, Exclusive POCSO Court, Asansol, Paschim Bardhaman.

And

In the matter of: **Md. Rinku** **Petitioner.**

Mr. Kunal Ganguly,
... For the Petitioner.

Mr. Arindam Sen,
Mr. Mujibar Ali Naskar
... For the State.

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

Learned advocate for the petitioner submits that the allegation is only of touching the victim, nothing more nothing less. The petitioner is in custody for about 552 days and already the vulnerable witnesses namely, victim and the *de facto* complainant have been examined. He seeks for enlargement of the accused/petitioner on bail.

Learned advocate for the State opposes such prayer for bail also submits that there are serious allegations

against the petitioner of his involvement in the alleged offence. Furthermore, the *de facto* complainant has also been threatened by some unknown persons. He seeks for dismissal of the bail application.

Despite service, none appears on behalf of the *de facto* complainant.

Perused the case diary and the materials on record.

The victim is aged about 11 years. The victim implicates the petitioner in the statement recorded before the learned Magistrate. Considering the above and nature and gravity of the offence, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail is rejected.

However, Trial Court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

Accordingly, **CRM (M) 218 of 2025** is dismissed.

(Bivas Pattanayak, J.)