

19.05.2025
Item no.5
Court No.39
ss
(rejected-*)

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

C.R.M.(M) 322 of 2025

In re : An Application under Section 439 of the Code of Criminal Procedure, 1973/Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mohanpur Police Station Case No.76 of 2024 dated 21st May, 2024 under Sections 376AB/506 of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012 corresponding to POCSO Case No.92 of 2024 pending before the learned Additional District & Sessions Judge, 1st Court and Special Court under POCSO Act, Barrackpore, North 24-Parganas.

-And-

In Re : Najir Hossain

... Petitioner

Mr. Nilanjan Adhikari,
Mr. Nitin Sharma
Ms. Oindrila Sinha

...for the petitioner

Ms. Amita Gaur,
Mr. Mainak Gupta

...for the State

Learned Advocate for the petitioner submits that the petitioner has been falsely implicated in this case. Upon completion of investigation charge-sheet has already been submitted in this case. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposes such prayer for bail of the petitioner and submits that the victim implicates the petitioner of his involvement in the alleged offence. She seeks for dismissal of the application for bail.

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

Perused the case diary and materials on record.

The victim at the time of incident was 11 years 10 months. The victim clearly implicates the petitioner of his involvement in the alleged offence. Considering the above materials and the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

Accordingly, the bail prayer of the petitioner is rejected.

The application for bail being **CRM(M) 322 of 2025** stands dismissed.

(Bivas Pattanayak, J.)