

20.05.2025
Item no.7(DL)
Court No.39
srm
(Rejected)

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

C.R.M.(M) 342 of 2025

In Re:- An application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 corresponding to Section 439
of the Code of Criminal Procedure, 1973 in connection with
Special Case No.100 of 2020 and Spt. ST 46(4)22 arising out of
Sarsuna Police Station Case No.59 of 2020 dated 13.06.2020
under Sections 6/10 of the Protection of Children from Sexual
Offences Act, 2012, pending before learned Special Court
constituted under The Protection of Children from Sexual
Offences Act, 2012 cum Additional District & Sessions Judge,
2nd Court at Alipur, South 24-Parganas;
And

In Re : XXX

.... Petitioner

Mr. Abhimanyu Banerjee,
Mr. Arnab Saha,
Ms. Priyanka Yadav

...for the Petitioner.

Ms. Sujata Das,
Mr. Karan Bapuli

... for the State.

Service report filed by the State is taken on record.

Learned Advocate for the petitioner submits that the
petitioner is in custody for more than 4 years 10 months without
there being any progress in trial. He further indicates that the
sole eye-witness has turned hostile. The medical examination
report does not support the prosecution case. The last witness
was examined in June, 2023. He seeks for enlargement of the
petitioner on bail.

Learned Advocate for the State opposes such prayer and
submits that the victim has been ravished by her own father
which has been stated by the victim. She also informs that only

two witnesses remain to be examined on behalf of the prosecution and the date is fixed on 10th June, 2025. She seeks for dismissal of the application.

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

Perused the case diary and the materials on record.

The statement of the victim clearly implicates the petitioner of his involvement in the alleged offence. The offence is a grave one. Considering such materials and the nature and gravity of the offence, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

However, bearing in mind the fundamental right of the petitioner for expeditious trial, the learned Trial Court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournments.

Prosecution is directed to produce the remaining witnesses before the Trial Court on the date fixed.

Parties are directed to cooperate in the trial for examination of the remaining witnesses.

Parties are at liberty to communicate this order to learned Trial Court.

The application for bail being **CRM (M) 342 of 2025** stands dismissed.

(Bivas Pattanayak, J.)