

26.06.2025
Item no.15(DL)
Court No.42
srm
(Rejected)

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

C.R.M.(M) 432 of 2025

In Re:- An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023/Section 439 of the Code of Criminal Procedure, 1973 in connection with Sessions Trial No.187 of 2024 and Sessions Case No.167 of 2024 arising out of Bhupatinagar Police Station Case No.403 of 2023 dated 03.02.2023 under Sections 363/365/366/34 of the Indian Penal Code, 1860 and Sections 6(i)/17 of the Protection of Children from Sexual Offences Act, 2012 and Sections 9/11 of the Prohibition of Child Marriage Act, 2006, pending before the learned Judge, Special Court under POCSO Court, Contai, Purba Medinipur;

And

In Re : Biswajit Maity

.... Petitioner

Mr. Mazhar Hossain Chowdhury,
Ms. Chandrima Debnath

...for the Petitioner.

Ms. Anusuya Sinha,
Mr. Sujan Chatterjee

... for the State.

Service report as well as status report filed by the State is taken on record.

Learned Advocate for the petitioner submits that the charge has been framed on 20th June, 2024 and till date only three witnesses have been examined out of 19 and there is delay in progress of the trial. The petitioner is in custody for about one year two months. She seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that the trial is in progress and the prosecution will examine 17 witnesses in all since two have been expunged

by the learned Trial Court vide order dated 17th April, 2025. She also indicates that there are specific allegations against the petitioner of his involvement in the alleged offence.

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

Perused the case diary and the materials on record.

It is found from the statement of the victim recorded under Section 164 of the Cr.P.C. that there are serious allegations against the petitioner of his involvement in the alleged offence. Considering the above and bearing in mind the nature and the gravity of the offence, I am not inclined to grant bail to the petitioner.

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

The learned Trial Court is directed to expedite the trial and conclude the same at an early date without granting unnecessary adjournments to either of the parties.

The application for bail being **CRM (M) 432 of 2025** stands dismissed.

(Bivas Pattanayak, J.)