

**CRM (M) 482 of 2025**

**In re:** An application for bail under Section 439 of the Code of Criminal Procedure 1973 read with Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 arising out of Nischinda Police Station Case No.02 of 2024 dated 12.01.2024 under Sections 363/366 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012 in connection with Special TR No.84 of 2024 pending before the Court of the learned Judge, Special (POCSO) Court at Howrah.

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**In the matter of : Ram Kripal Sahni**

.... Petitioner

Mr. Tapas Kumar Ghosh  
Mr. Tanmay Chowdhury  
... For the Petitioner

Mr. Joydeep Roy  
Mr. Aritra Bhattacharya  
... For the State

1. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner/accused is in custody for one year and one month. In course of submission, learned counsel appearing on behalf of the petitioner has relied on the statement of the victim girl and submits that there was a love affair between the accused and the victim girl.

2. Per contra, learned counsel appearing on behalf of the State has referred to the materials collected during investigation in the case diary and in particular the medical report.

3. Learned counsel appearing on behalf of the petitioner has tried to make this Court understand that Section 6 of the

Protection of Children from Sexual Offences Act is not applicable as there was a consensual relationship between the petitioner and the victim girl.

4. In reply to that, learned counsel appearing on behalf of the State has submitted that the victim is a minor girl. Therefore, consensual relationship cannot be taken into account at this stage. Before parting with, learned counsel appearing on behalf of the State has submitted that trial of the case has already been started by recording evidence.

5. After careful perusal of the entire materials in the case diary, I am not inclined to grant bail to the petitioner at this stage.

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

7. CRM (M) 482 of 2025 stands disposed of.

8. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

9. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

**(Bibhas Ranjan De, J.)**