

07.07.2025
Item no.4
Court No.42
ss
(Dismissed)

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

C.R.M.(M) 513 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973/ under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Gazole P. S. Case No. 364 of 2022 dated 19.05.2022 under Section 10 of the POCSO Act pending before the learned Judge, Special Court, Additional District Judge, 2nd Court, Malda.

In Re : **Majed Momin**

.... Petitioner

Mr. Sujoy Sarkar,
Mr. Musharaf Alam Sk.

...for the Petitioner.

Mr. Imram Ali,
Mr. Mujibar Ali Naskar

...for the State.

Service report filed on behalf of the State is taken on record.

Learned Advocate for the petitioner submits that in order to give vent to her grudge against her husband, the mother of the victim girl has provoked her for initiation of this case on false allegations. The petitioner is in custody for last 3 years and out of 11 witnesses only three witnesses have been examined. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that in her evidence, the victim implicates the petitioner, who is the father of the victim, of such sexual assault and rape. He seeks for dismissal of the bail application.

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

Perused the case diary and materials on record.

The victim in her statement before the Magistrate as well as in her evidence in court has implicated the petitioner, who happens to be her father, of ravishing her. Considering the above materials and bearing in mind 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 learned trial court is directed to expedite the trial to the fullest and conclude the trial at an early date without granting any unnecessary adjournment to either of the parties.

The prosecution is directed to produce witnesses as per schedule fixed by the trial court for examination of witnesses.

The parties are directed to cooperate in the trial for examination of the witnesses.

Parties are at liberty to communicate this order to the learned trial court.

The application for bail being **CRM (M) 513 of 2025** stands dismissed.

(Bivas Pattanayak, J.)