

30.06.2025
Sl No.17
Ct. No.42
ss
(Allowed)

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

CRM (M) 674 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pursurah Police Station Case No.320 of 2024 dated 07.11.2024 under Sections 137(2)/140(3) of the Bharatiya Byaya Sanhita, 2023 adding Section 65(1) of the Bharatiya Byaya Sanhita, 2023 read with Section 4(2) of the Protection of Children from Sexual Offence Act, 2012 and Section 9 of the Prohibition of Child Marriage Act, 2006 corresponding with POCSO Case No.10 of 2025 now pending before Learned Special Judge, under POCSO Act, Arambagh, Hooghly.

And

In Re : Subha Mondal

.....Petitioner

Mr. Niladri Sekhar Ghosh
Ms. Sompurna Chatterjee
Ms. Labani Sikder
Mr. Souvik Dey

.....for the Petitioner

Mr. Rudradipta Nandy, Ld. APP
Mr. Tirthankar Dhali

.....for the State

Mr. Sk. Abu Jafor
Mr. Sk. Md. Wasim Akram
Ms. Dipannita Laha

... for the *de facto* complainant

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned Advocate for the petitioner submits that previously the victim left her house along with the petitioner of her own in the year 2024. A case of kidnapping was initiated on such incident which culminated in filing of final report. Subsequent thereto, again the victim left her house out of her own accord leading to initiation of the instant case. There are

no such incriminating materials, statements against the petitioner. Upon completion of investigation, charge-sheet has been submitted in this case and the petitioner is in custody for last 87 days. He seeks for enlargement of the petitioners on bail.

Opposing such prayer for bail learned Advocate for the State submits that the victim is aged about 14 years and she has been influenced and coerced by the petitioner to leave her house. Previously also F.I.R. has been lodged against the petitioner. In such circumstances, he seeks for dismissal of the bail application.

Learned Advocate for the *de facto* complainant submits in the similar fashion.

Perused the case diary and the materials on record.

From the statement of the victim, it is found that there are no such allegations of any forcible act on the part of the petitioner. Upon completion of investigation, charge-sheet has been submitted in this case and the petitioner is in custody for 87 days. Bearing in mind the aforesaid, I am inclined to enlarge the petitioner on bail.

Accordingly, the petitioner, namely, **Subha Mondal**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand), with two sureties of like amount each, one of whom must be a local, to the satisfaction of the learned Judge, Special (POCSO) Court, Arambagh, Hooghly subject to condition that the petitioner shall remain within the jurisdiction of the Pursurah Police Station except for attending

Court proceeding and shall meet the Officer in Charge of the Pursurah Police Station once in a fortnight until further orders and shall appear before the learned Trial Court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the trial court to cancel the bail in accordance with law without further reference to this Court.

It is made clear that the observation made hereinabove is only for the disposal of the instant application.

Accordingly, the application for bail being **CRM (M) 674 of 2025** is disposed of.

(Bivas Pattanayak, J.)