

07.07.2025
Item No.08.
Monthly List
Court No.42
Mithun
(Rejected)

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

CRM (M) 686 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
POCSO Case No.120 of 2021 arising out of Habibpur Police
Station Case No.260 of 2021 dated 27.08.2021 under Section 6
of the POCSO Act pending before the Court of the Learned
Judge, Special Court, ADJ 2nd Court, Malda.

-And-

In the matter of : Sunil Kisku

... .. Petitioner (in Jail)

Mr. Tapan Datta,
Mr. Parvej Anam,
Ms. Rituparna Ghosh

... .. For the Petitioner

Ms. Baisali Basu,
Mr. Dipankar Paramanick

... ...For the State

Status report as well as copy of evidence filed by the State is
taken on record.

Learned Advocate for the petitioner submits that there are
no such direct allegations against the petitioner. The petitioner
is in custody for more than 4 years and only 5 witnesses have
been examined. She seeks for enlargement of the petitioner on
bail.

Learned Advocate for the State opposing such prayer
submits that previously the petitioner filed applications for bail
which has been rejected. The evidence of the victim clearly

implicates this petitioner of commissioning rape upon her. She 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 Court implicates this petitioner of commissioning rape upon her. In light of the above materials and the nature and gravity of the offence, I am not inclined to grant bail.

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

However, the Trial Court is directed to expedite the trial to the fullest extent and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.

Prosecution is directed to produce witnesses before the Trial Court on the schedule dates fixed for examination of witnesses.

Parties are directed to cooperate in the trial before the Trial Court.

The application being **CRM(M) 686 of 2025** stands dismissed.

(Bivas Pattanayak, J.)