

M/L 56
01.12.2025
Bpg.
Dismissed

C.R.M. (M) 701 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure 1973 read with Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Tehatta Police Station Case No.976 of 2022 dated 31.10.2022 under Sections 448/376AB of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offence Act, 2012 and charge-sheet submitted under Sections 448/376 AB/506 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offence Act, 2012;

Milan Mallick
Versus
The State of West Bengal & Anr.

Mr. Jaydeep Biswas
Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Kaushik Ghosh.
...for the petitioner.

Mr. Arijit Ganguly
Mr. Bikram Mitra.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for nearly 3 years and till date out of 18 witnesses proposed to be examined, only 4 witnesses have been examined. Learned advocate submits that the victim and her close relations have already been examined.

Learned advocate for the State opposes the prayer for bail.

A certified copy of the testimony of the victim of the learned trial court has been placed before this Court. On an assessment of the testimony of the victim before the learned trial court, I am not inclined to release the petitioner on bail.

Accordingly, CRM(M) 701 of 2025 is dismissed.

Custodial trial is in progress and only 4 witnesses have been examined, all efforts be put in to complete the trial within a period of one year from date by the learned trial court.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)