

01.07.2025
Item No.08.
Daily List
Court No.42
Mithun
(Rejected)

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

CRM (M) 706 of 2025

In re : An Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Rajinagar Police Station Case No.08 of 2025 dated January 12, 2025 under Sections 137(2)/140(3)/64(2)(m)/69/127(4)/318(2)/60/239 of the Bharatiya Nyaya Sanhita, 2023 read with Sections 6/17 of the Protection of Children from Sexual Offences Act giving rise to C.Spl. Case No.31 of 2025 now pending before the Court of the Learned Judge, Special (POCSO) Court, Berhampore, Murshidabad.

-And-

**In the matter of : Mostafa Sk. @ Mostofa Sk. @ Mostafa
Rahaman**

... Petitioner

Mr. Navanil De,
Mr. Srinjan Ghosh

...for the petitioner

Mr. Sujjan Chatterjee

...for the *de facto* complainant.

Mr. Ranabir Roychowdhury,
Ms. Nabid Ahmed

... ...For the State

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

Learned Advocate for the petitioner submits that the victim and the petitioner had love affairs and they had consensual sexual relationship which resulted in pregnancy of the victim. The case has been initiated since subsequently the victim found the petitioner was married. Upon completion of

investigation, charge sheet has been submitted. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State opposing such prayer submits that as per the statement of the victim on the pretext of marriage, the petitioner entered into sexual relationship with the victim which resulted pregnancy of the victim which is supported by the medical report. He seeks for dismissal of the bail application.

Learned Advocate for the *de facto* complainant leaves the matter to the discretion of the Court.

Perused the case diary and materials on record.

It is found from the statement of the victim that she was taken to Jaypur by the petitioner on the pretext of marriage, where the petitioner entered into sexual relationship with her. The medical report also supports the facts of the pregnancy. 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 at this stage.

Learned Trial Court is directed to expedite the trial to the fullest extent without granting any unnecessary adjournment and conclude the same at an early date.

The application for bail being **CRM(M) 706 of 2025** stands dismissed.

(Bivas Pattanayak, J.)