

24.07.2025
Item no.11
Court No.42
ss
(Dismissed)

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

C.R.M.(M) 901 of 2025

In Re: In Re:- An application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure in connection with Chinsurah Women Police Station Case No.108 of 2024 dated 04.08.2024 under Sections 376(2)(n)/506 of the Indian Penal Code, 1973 read with Section 6 of the Protection of Children from Sexual Offences Act, 2012 presently pending before the learned Judge, Exclusive POCSO Court, Chinsurah, Hooghly.

-And-

In Re : Shambhu Goldar.

.... Petitioner

Mr. Uday Sankar Chattopadhyay
Mr. Santanu Maji
Ms. Sadia Parveen

...for the Petitioner.

Mr. Ashok Das

...for the State.

Mr. Manabendranath Bandyopadhyay

... for the *de facto* complainant.

Affidavit of service filed on behalf of the petitioner.

Learned Advocate for the petitioner submits that there is delay in lodgement of the F.I.R. The petitioner is in custody for 350 days and the victim has already been examined. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that the victim implicates this petitioner in her statement. He also informs this Court that there are continuous threats from the side of the petitioner. He seeks for dismissal of the bail application.

Learned Advocate representing the *de facto* complainant submits that the petitioner has committed rape upon the victim on several occasions. The victim and his family members are continuously threatened from the side of the petitioner. He seeks for dismissal of the bail application.

Perused the case diary and materials on record.

The victim in her statement as well as during her examination in court implicates this petitioner of commissioning rape upon her on several occasions. Delay in lodging FIR may occasion due to many reasons and may not improbabilise the prosecution case. 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 application for bail being **CRM (M) 901 of 2025** stands dismissed.

(Bivas Pattanayak, J.)