

17.07.2025  
Item No.08.  
Daily List  
Court No.42  
Mithun  
(Rejected)

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

**CRM (M) 890 of 2025**

In Re:- An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Special Case No.81 of 2025 arising out of Hatishala Police Station Case No.70 of 2025 dated 2<sup>nd</sup> April, 2025 under Sections 137(2)/140(3)/127(2)/351(2)/96/65(1) of the Bharatiya Nyaya Sanhita, 2023 read with Section 6 of the Protection of Children From Sexual Offences Act, 2012 corresponding to G.R.No.2340 of 2025 presently pending before the learned Additional Sessions Judge, 1<sup>st</sup> Court, Baruipur, District-South 24 Parganas.

-And-

**In the matter of : XXXXXX**

... .. Petitioner (in Jail)

Mr. Shibaji Kumar Das

... .. For the Petitioner

Mr. Debapriyo Mazumder

...for the *de facto* complainant

Mr. Antarikhya Basu,

Mr. Rahul Ganguly

...for the State

Service report filed by the State is taken on record.

Learned Advocate for the petitioner submits that the petitioner and the victim had previous love affairs and the victim left her house out of her own accord. There is no such incriminating material against the petitioner who is languishing in custody for 105 days. Upon completion of investigation, charge-sheet has been submitted in this case. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that the victim have categorically stated in her statement before the Magistrate that she was forcibly taken away by this petitioner and was ravished. He seeks for dismissal of the bail application.

Learned Advocate for the *de facto* complainant submits that there was no such love affair between the victim and the petitioner. He also seeks for dismissal of the bail application.

Perused the case diary and materials on record.

From the statement of the victim recorded under Section 164 of the Cr.P.C., it is found that though previously the victim had love affairs with the present petitioner, however, she implicates the petitioner of forcibly taking her away and having physical relationship. Considering the above materials and the nature and gravity of the offence, I am not inclined to enlarge the petitioner on 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.

The application being **CRM(M) 890 of 2025** stands dismissed.

**(Bivas Pattanayak, J.)**