

17.07.2025
Item No.09.
Daily List
Court No.42
Mithun
(Allowed)

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

CRM (M) 892 of 2025

In Re: An application for bail under Section 439 of the Criminal Procedure Code, 1973 corresponding to Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Spl. Case No.96/2025 arising out of Deganga Police Station Case No.382/2024 dated 21.06.2024 under sections 363/365 of the Indian Penal Code and adding section 366A/368/107/120B of the Indian Penal Code and Section 6/7/21 of the Protection of Children from Sexual Offences Act which ended up in charge sheet being charge sheet No.322/2025 dated 17.06.2025 under sections 363/365/366A/376/368/107/120B of the Indian Penal Code and Sections 6/17 of the Protection of Children from Sexual Offences Act presently pending before the Learned Judge, Special POCSO Court, Barasat, North 24 Parganas.

-And-

In the matter of : Tarak Sarkar

... Petitioner

Mr. Angshuman Chakraborty,
Mr. S.S. Saha

...for the petitioner

Mr. Avishek Sinha,
Mr. Mainak Gupta

... ..For the State

Service report filed by the State is taken on record.

Learned Advocate for the petitioner submits that the principal accused has already been granted bail by the learned trial court. There are no such incriminating materials against the present petitioner, who is the cousin brother of the principal accused. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State candidly submits that the victim has not implicated this petitioner.

Despite service, none appears on behalf of the *de facto* complainant.

Perused the case diary and the materials on record.

The victim in her statement before the Magistrate has not implicated this petitioner. Upon completion of investigation, charge-sheet has already been submitted. It is informed by the learned Advocates for the respective parties that the principal accused namely, Prosenjit Bachar @ Prasenjit Bachhr has been granted bail by the learned Trial Court. Considering the above, I am inclined to enlarge the petitioner on bail on stringent conditions.

The petitioner, namely, **Tarak Sarkar** be released on bail upon furnishing a bond of Rs.10,000/- (Rupees ten thousand), with two sureties of like amount each, one of whom must be a local, to the satisfaction of the learned Judge, Special POCSO Court, Barasat, North 24 Parganas subject to condition that the petitioner shall report to the Inspector-in-Charge of the concerned Police Station once in a fortnight until further orders. The petitioner shall not enter the jurisdiction of Deganga Police Station except for the purpose of attending court proceedings and reporting to the Inspector-in-Charge of the concerned Police Station. The petitioner shall furnish the address where he shall presently reside before the learned Trial Court, the investigating officer and the Inspector-in-Charge of the police station under whose jurisdiction he shall presently reside. The petitioner shall

appear before the learned Trial Court on each and every date fixed and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

In the event the petitioner fail to comply with the conditions as enshrined hereinbefore, it is open to the trial Court to cancel the bail without further reference to this Court.

It is made clear that the observation made hereinabove is only for the sake of disposal of this application.

Accordingly, **CRM (M) 892 of 2025** is disposed of.

(Bivas Pattanayak, J.)