

23.07.2025
Item No.14.
Daily List
Court No.42
Mithun
(Rejected)

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

CRM (M) 966 of 2025

In re : An Application for Bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with POCSO Case No.62 of 2025, Kotwali Police Station Case No.504 of 2025 dated 27/04/2025 under Sections 106(2)/65(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Protection of Children from Sexual Offences Act, 2012, now pending before the Court of the learned Judge, Special Court under POCSO Act, Nadia at Krishnanagar.

-And-

In the matter of : Debasish Mondal

... .. Petitioner (in Jail)

Mr. Sumanta Das,
Mr. Avilash Tripathi

... .. For the Petitioner

Mr. Pawan Kumar Gupta,
Ms. Sofia Nesar,
Mr. Santanu Sett,
Mr. Abhijit Bose

...for the *de facto* complainant

Mr. Debabrata Chatterjee,
Ms. Rita Datta

... ..For the State

Service report filed by the State is taken on record.

Learned Advocate for the petitioner submits that the allegation as narrated in the written complaint is not acceptable and appears to be full of falsity. The victim refused to undergo medical examination. The petitioner is in custody for 87 days and 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 implicates this petitioner in her

statement before the learned Magistrate. The statement of the victim is supported by the statement of the other witnesses. He seeks for dismissal of the bail application.

Learned Advocate for the *de facto* complainant submits that prior to lodgment of the FIR, the victim and her family members were threatened. There might be certain discrepancies. However, the statement of the victim clearly implicates the petitioner of his involvement of the alleged offence. He also seeks for dismissal of the bail application.

Perused the case diary and the materials on record.

The victim in her statement before the Magistrate clearly implicates the petitioner of commissioning penetrative sexual assault upon her which was also videographed. 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.

Prosecution is directed to produce witnesses before the Trial Court on the schedule dates fixed for examination of witnesses.

Parties are directed to cooperate in the trial before the Trial Court.

The application being **CRM(M) 966 of 2025** stands dismissed.

(Bivas Pattanayak, J.)