

24.07.2025
Item no.15
Court No.42
ss
(Allowed)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 967 of 2025

In re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chitpur Police Station Case No.60 of 2025 dated 07.05.2025 under Sections 79/115(2)/118(1)/54 of the Bharatiya Nyaya Sanhita read with Section 12 of the Protection of Children from Sexual Offences Act, 2012 in correspondence with Special Case No.28 of 2025 presently pending before the learned Judge, Special Court, under POCSO Act cum Additional District & Sessions Judge, 1st Court at Sealdah, South 24-Parganas.

-And-

In the matter of : Md. Saif Ali alias Saifu
... Petitioner

Mr. Baidurya Ghosal
Mr. Prithviraj Singha Roy
Mr. Sourav Mukherjee
Mr. Saikat Mukherjee
Ms. Anupama Biswas
...for the petitioner

Ms. Baisali Basu
Ms. Snigdha Saha
... ..For the State

Mr. Taher Ahamad
... for the *de facto* complainant

Service report filed on behalf of the State is taken on record.

Learned Advocate for the petitioner submits that the only allegation against the petitioner is of using of unparliamentary language, nothing more nothing less. The petitioner is in custody for 78 days and after completion of investigation, charge-sheet has already been submitted. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State, opposing such prayer for bail, submits that the present petitioner along with the co-accused have used abusive language upon the victim. She seeks for dismissal of the bail application.

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

Perused the case diary and the materials on record.

It is found from the statement of the victim that there are allegations against the petitioner of using abusive language and also of assaulting the father of the victim. However, there is no such injury report. The petitioner is in custody for 78 days and upon completion of investigation, charge-sheet has already been submitted in this case. Considering the above, I am inclined to grant bail to the petitioner on stringent conditions.

Accordingly, the petitioner, **Md. Saif Ali alias Saifu**, 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 Court under POCSO Act cum Additional Sessions Judge, 1st Court, Sealdah, South 24-Parganas. The petitioner shall appear before the trial court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall meet the Inspector-in-Charge of Chitpur Police Station once in a fortnight, until further orders. The petitioner shall not enter the jurisdiction of Chitpur

Police Station except for the purpose of attending court proceedings and reporting to the Inspector-in-Charge of 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.

In the event the petitioner fails to comply with any of the conditions as stated above, the learned Trial Court shall be at liberty to cancel his bail in accordance with law 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, the application for bail being **CRM (M) 967** of **2025** is disposed of.

(Bivas Pattanayak, J.)