

28.07.2025
Item No.06.
Daily List
Court No.42
Mithun
(Rejcted)

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

CRM (M) 1063 of 2025

In re : An Application for Bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 439 of the Code of Criminal Procedure, 1973), in connection with POCSO Case No.15 of 2024 arising out of Malda Police Station Case No.26 of 2024 dated 16.01.2024 under Sections 341/326/307/354D of the Indian Penal Code read with Sections 12 of POCSO Act, pending before the learned Judge, Special Court, ADJ, 2nd Court, Malda.

-And-

In the matter of : Ujjal Mandal

... .. Petitioner

Mr. Tapan Datta Gupta,
Mr. Parvej Anam,
Ms. Rituparna Ghosh,
Mr. S. Sardar

... .. For the Petitioner

Ms. Manasi Roy

...for the *de facto* complainant

Mr. Anupam Das Adhikari,
Mr. Atanu Ghosh

... ..For the State

Service report as well as status report filed by the State is taken on record.

Petitioner renews his prayer for bail.

Learned Advocate for the petitioner submits that the victim during her examination in Court has not implicated the petitioner. There are no such direct evidence of involvement of the petitioner. The petitioner is in custody for 559 days, without

there being considerable progress in Trial. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State, opposing such prayer for bail, submits that the victim was stabbed by the petitioner as his proposal was turned down by the victim. Such fact has been stated by the victim before the Magistrate. There are eye witnesses to the occurrence, namely, the elder sister, one friend and person before whose shop the incident has taken place. On being stabbed by the petitioner, the victim sustained cut injury of her neck. The offending weapon was recovered as pointed out by the accused/petitioner. The accused/petitioner has been identified by one of the witnesses, namely, P.W.4 in Court. He seeks for dismissal of the bail application.

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

Perused the case diary and materials on record.

The victim in her deposition in Court has stated that she has narrated the entire incident to the learned Magistrate who has reduced the same in writing. In her statement before the Magistrate, the victim clearly implicates this petitioner which is supported by the statement of other witnesses. There are allegations against the petitioner of stabbing the victim with knife which is evident from the injury report as well as the medical examination report. Considering such incriminating 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.

It is informed by the learned advocate for the State that 19th August, 2025 is the next date fixed for examination of the prosecution witnesses.

Accordingly, 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) 1063 of 2025** stands dismissed.

(Bivas Pattanayak, J.)