

25.08.2025
Item no.6(DL)
Court No.42
srm
(Rejected)

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

C.R.M.(M) 1104 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 in connection with Dum Dum Police Station Case No.354 dated 20.03.2021 under Sections 342/326/308/188/34 of the Indian Penal Code read with Sections 8/12 of the Protection of Children from Sexual Offences Act, 2012 and charge sheet being No.456/2021 dated 8th May, 2021 under Sections 341/326/308/109/34 of the Indian Penal Code and under Sections 42/75/87 of Juvenile Justice Act, 2015 and under Sections 6/10/17 of POCSO Act subsequently supplementary charge sheet filed being No.287/2023 dated 10th May, 2023 under Section 341/326/308/34 of the Indian Penal Code and under Sections 42/75/87 of Juvenile Justice Act, 2015 and under Sections 6/10/17 of POCSO Act presently pending before the learned Special Judge (POCSO Act), Barrackpore;

-And-

In the matter of : Tanmay Paul

.... Petitioner

Mr. Anirban Mitra,
Mr. Amit Ray

...for the Petitioner.

Mr. Arindam Sen,
Mr. Raju Mondal

...for the State.

Ms. Afreen Begum

...for the *de facto* complainant.

1. Learned Advocate for the petitioner submits that there are no such allegations against the petitioner in respect of the offence under the POCSO Act. The allegations are of cruelty. Be that as it may, the petitioner is in custody for more than four years without there being considerable progress in trial. Only one prosecution witness out of 20 has been examined

in part so far. One of the co-accused, namely, Pradyut Chowdhury has been granted bail by this Hon'ble Court *vide* order dated 10th March, 2025 passed in CRM (DB) 536 of 2025. He seeks for enlargement of the petitioner on bail.

2. Opposing such prayer for bail, learned Advocate for the State submits that there are serious allegations against the petitioner of cruelty upon the victim which is supported by medical examination report. He seeks for dismissal of the bail application.
3. Learned Advocate for the *de facto* complainant also opposes such prayer for bail and submits that the petitioner is a teacher of the organization where the victim used to reside. There are allegations of cruelty and torture on the victim. She seeks for dismissal of the bail application.
4. Perused the case diary and the materials on record.
5. It is found from the statement of the victim that there are serious allegations against this petitioner of assaulting and pouring hot water on the person of the victim. In the medical examination report, the victim also makes such allegation against the petitioner. The medical examination report in column 9 records that the victim sustained cut injuries, abrasions, deep cut over chin and bruises along with blisters present over the feet, soles and knee joints. Considering the aforesaid incriminating materials and the nature and gravity of the offence, I am not inclined to grant bail to the petitioner.
6. Accordingly, the prayer for bail of the petitioner is rejected.

7. However, learned Trial Court is directed to expedite the trial to the fullest extent and conclude the same at an early date without granting unnecessary adjournments to either of the parties.
8. It is informed that 10th September, 2025 is the date fixed for prosecution witnesses.
9. Prosecution is directed to produce witnesses on the scheduled dates.
10. Parties are directed to cooperate with the trial court during examination of the witnesses.
11. Parties are at liberty to communicate this order of the learned Trial Court.
12. The application for bail being ***CRM (M) 1104 of 2025*** stands dismissed.

(Bivas Pattanayak, J.)