

11.08.2025
Item no.7
Court No.42
ss
(Dismissed)

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

C.R.M.(M) 1117 of 2025

In re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with S.T.Case No.07(04) of 2024 (Special Case No.01 of 2024) [GR 1319 of 2023] arising out of Bidhannagar Electronics Complex (E.C) Police Station Case Number 198 of 2023 dated 24.12.2023 under Sections 341/506 of the Indian Penal Code, 1860 and Section 4 of the Protection of Children from Sexual Offences (POCSO) Act, 2012 pending before the Court of the learned Judge, Special Court (POCSO) at Barasat, North 24 Parganas..

-And-

In the matter of : Netai Roy

... ... Petitioner

Mr. Susnigdho Bhattacharyya,
Ms. Sarmistha De

... ... For the Petitioner

Md. Adil Badr
Mr. Prakash Mishra

... ...For the State

Mr. Apan Saha

... for the *de facto* complainant

Learned Advocate for the petitioner submits that there is discrepancy in the evidence of the victim vis-à-vis the evidence of her mother. The petitioner is in custody for more than 1 year 7 months and only three out of eleven witnesses have been examined. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that the victim consistently implicates this petitioner of his involvement in the alleged offence. He seeks for dismissal of the bail application.

Learned Advocate for the *de facto* complainant also submits in the similar fashion.

Perused the case diary and materials on record.

The victim, in her statement before the Magistrate as well as during her examination in Court, consistently implicates this petitioner of penetrative sexual assault. Considering the above incriminating materials and bearing in mind nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

Accordingly, the bail prayer of the petitioner is rejected.

The learned trial court is directed to expedite the trial to the fullest extent and conclude the trial at an early date without granting any unnecessary adjournment to either of the parties.

The prosecution is directed to produce witnesses as per schedule fixed by the trial court for examination of witnesses.

The parties are directed to cooperate in the trial for examination of the witnesses.

Parties are at liberty to communicate this order to the learned trial court.

The application for bail being **CRM (M) 1117 of 2025** stands dismissed.

(Bivas Pattanayak, J.)