

30.07.2025
Item no.10
Court No.42
ss
(Allowed)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 1145 of 2025

In re : An Application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak Police Station Case No.779/2025 dated 11.05.2025 presently under Sections 137(2), 140(3), of the Bharatiya Nyaya Sanhita and under Section 6 of the Protection of Children from Sexual Offences Act, pending before the learned Judge, Special Court, ADJ 2nd Court, Malda (corresponding to POCSO Case no.59 of 2025 & PT Case No.493 of 2025) & PT Case No.493 of 2025.

-And-

In the matter of : Anikul Momin @ Md Anikul Momin
... .. Petitioner

Mr. Sagar Saha,
Ms. Nayana Mukhopadhyay
... .. For the Petitioner

Mr. Rudradipta Nandy, Ld. APP,
Ms. Nandini Chatterjee
... ...For the State

Affidavit of service filed on behalf of the petitioner is taken on record.

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

Learned Advocate for the petitioner submits that the victim in her statement exonerates the petitioner. The victim has refused to undergo medical examination. The petitioner is in custody for 75 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 victim was kidnapped by the petitioner and taken away. He seeks for dismissal of the bail application.

Despite service none appears on behalf of the *de facto* complainant.

Perused the case diary and the materials on record.

The statement of the victim shows that previously the victim had love affairs with the petitioner and she left her house out of her own accord. The victim has refused to undergo medical examination. The petitioner is in custody for 75 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, **Anikul Momin @ Md. Anikul Momin**, 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, ADJ, 2nd Court, Malda. 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 Kaliachak Police Station once in a fortnight, until further orders. The petitioner shall not enter the jurisdiction of Kaliachak Police Station except for the purpose of attending court proceedings and reporting to the Inspector-in-Charge of concerned 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

concerned 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) 1145** of **2025** is disposed of.

(Bivas Pattanayak, J.)