

12.08.2025
Item No.1
Court No.42
ab
Rejected

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

CRM (M) 1199 of 2025

In Re:- An application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection Sheoraphuli GRPS Case No.11 of 2025 dated 06.06.2025 under Sections 75 of the Bharatiya Nyaya Sanhita, 2023 read with Section 8/12 of the Protection of Children from Sexual Offences Act, 2012 pending before the Court of learned Judge, Special Court-cum-Additional Sessions Judge, 1st Court, Serampore.

And

In Re : **Janab Ali**

.... **Petitioner**

Mr. Pronojit Roy,
Mr. Sudip Ghosh

..... for the petitioner

Ms. Manisha Sharma,
Ms. Ratna Ghosh

... for the State

Mr. Shubhojyoti Dutta,
Mr. Kaushik Choudhury

... for the *de facto* complainant

Learned advocate for the petitioner submits that the allegation against the petitioner is only of touching. There are no such incriminating materials against the petitioner, who is in custody for about 67 days. Upon completion of investigation, charge sheet has already been submitted in the present case. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned advocate for the State submits that the victim at the time of incident was 10 years of age and there are allegations against the petitioner

of touching her breast. She seeks for dismissal of the bail application.

Similar submission has been advanced on behalf of the learned advocate for the *de facto* complainant.

Perused the case diary and materials on record.

The victim at the time of incident was 10 years of age. The victim in her statement clearly implicates this petitioner. Considering the *prima facie* incriminating materials and the implication of the victim as well as the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

Accordingly, the bail prayer is rejected.

The application for bail being **CRM (M) 1199 of 2025** stands dismissed.

(Bivas Pattanayak, J.)