

11.08.2025
Item no.11
Court No.42
ss
(Dismissed)

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

C.R.M.(M) 1251 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 POCSO Case No.96 of 2024 arising out of Krishnaganj Police Station Case Number 488/2023 dated 04.12.2023 under Sections 363/364A/365/34 of the Indian Penal Code with added charge under Section 6 of the Protection of Children from Sexual Offences (POCSO) Act pending before the Court of the learned Judge, Special Court under POCSO Act, Krishnanagar, Nadia.

-And-

In the matter of : Prasanta Namdeb @ Prasanta Namdeb
Rajguru

... .. Petitioner

Mr. Soumyajit Chatterjee

... .. For the Petitioner

Ms. Baisali Basu
Ms. Srilekha Chatterjee

... ..For the State

Mr. Amajit De

... for the *de facto* complainant

Learned Advocate for the petitioner submits that the victim has not been recovered from the house of the petitioner but from a public place. There are no such allegations of any sexual assault to attract the offence under the POCSO Act. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that the victim implicates this petitioner. She seeks for dismissal of the bail application.

Learned Advocate for the *de facto* complainant also opposes such prayer for bail.

Perused the case diary and materials on record.

The victim at the time of incident was 4 years of age. The victim in her deposition in court clearly implicates this petitioner of physical assault as well as sexual assault. Considering the above 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.

It is informed that eight out of thirteen witnesses have already been examined and 28th August, 2025 is the date fixed for examination of further prosecution witnesses.

The learned 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.

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) 1251 of 2025** stands dismissed.

(Bivas Pattanayak, J.)