

07.08.2025
D/L 8
Court No.42
ab
(Allowed)

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

C.R.M.(M) 1294 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Khanakul P. S. Case No. 167 of 2025 dated 07.03.2025 under Sections 137(2)/140(3) of the Bharatiya Nyaya Sanhita, 2023, adding Section 6 of the Protection of Children from Sexual Offences Act, 2012 now pending before the learned Additional District and Sessions Judge, 1st Court cum Judge, Special Court, POCSO Act, Arambagh, Hooghly.

In Re : **Raju Bhukto**

.... **Petitioner**

Mr. Niladri Sekhar Ghosh,
Ms. Labani Sikder,
Mr. Souvik Dey

... for the Petitioner

Mr. Partha Pratim Das,
Mr. Karan Bapuli

...for the State.

Ms. Busra Khatun

... for the *de facto* complainant

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

The petitioner renews his prayer for bail.

Learned Advocate for the petitioner submits that previously the bail prayer of the petitioner was turned down by this Court in CRM (M) 13 of 2025 before the examination of the victim in Court. The victim has been examined in Court and she has not implicated this petitioner. The petitioner is in custody for about 154 days. He seeks for enlargement of the petitioner on bail.

Learned Advocate for the State, opposing such prayer for bail, submits that on the previous occasion, the bail prayer of the petitioner was turned down upon perusal of the medical examination report as well as the recovery memo which revealed that the victim was recovered from the house of the petitioner. He seeks for dismissal of the bail application.

Learned advocate for the *de facto* complaint leaves the matter to the discretion of the Court.

Perused the case diary and the materials on record.

Previously, the bail prayer of the petitioner was rejected in CRM(M) 13 of 2025 prior to examination of the victim in Court. In her deposition, the victim has not implicated this petitioner. The victim failed to identify the petitioner. The petitioner is in custody for about 154 days. Considering the above, I am inclined to grant bail to the petitioner on stringent conditions.

Accordingly, the petitioner, namely, **Raju Bhukto** 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 Additional District and Sessions Judge, 1st Court cum Judge, Special Court, POCSO Act, Arambagh, Hooghly. 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 Khanakul Police Station once in a fortnight, until

further orders. The petitioner shall not enter within the territorial jurisdiction of Khanakul Police Station except for the purpose of attending court proceedings and for reporting to the Inspector-in-Charge of the concerned Police Station, until further orders. The petitioner shall furnish the addresses where he shall presently reside before the learned trial court, the investigating officer and the Inspector-in-Charge of the 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) 1294 of 2025** is disposed of.

(Bivas Pattanayak, J.)