

21.08.2025
Item no.7
Court No.42
ss
(Dismissed)

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

CRM (M) 1351 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.07 of 2024 arising out of Kotwali Police Station Case No.78 of 2024 dated 24.01.2024, thereby alleging commission of offences punishable under Section 6(1) of POCSO Act, thereafter CS No.294/24 dated 07.03.2024 adding Section 376(3)/376(2)(f) of the Indian Penal Code, 1860, thereby rejecting petitioner's prayer for bail, presently pending before the Court of the learned Additional District & Sessions Judge, 2nd Court Krishnanagar, Nadia.

-And-

In the matter of : Sudhir Chakraborty

... .. Petitioner

Ms. Afreen Begum

... .. for the Petitioner

Ms. Shaila Afrin,
Ms. Sima Biswas

... for the State

1. Service report filed on behalf of the State is taken on record.
2. Learned Advocate for the petitioner submits that the petitioner has been falsely implicated in this case. There is delay in lodgement of the FIR. The petitioner is in custody for more than 1 year. She seeks for enlargement of the petitioner on bail.
3. Opposing such prayer for bail, learned Advocate for the State submits that the statement of the victim clearly implicates the petitioner, which is supported by the medical evidence. The trial is in progress. Seven out of twelve witnesses have already been examined. She seeks for dismissal of the bail application.
4. Despite service none appears on behalf of the *de facto* complainant.

5. Perused the case diary and materials on record.
6. The victim at the time of incident was 5 years of age and she clearly implicates the petitioner of penetrative sexual assault. The medical examination report is supportive of such fact. 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.
7. Accordingly, the bail prayer of the petitioner is rejected.
8. 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.
9. The prosecution is directed to produce witnesses as per schedule fixed by the trial court for examination of witnesses.
10. The parties are directed to cooperate in the trial for examination of the witnesses.
11. Parties are at liberty to communicate this order to the learned trial court.
12. The application for bail being **CRM (M) 1351 of 2025** stands dismissed.

(Bivas Pattanayak, J.)