

08.08.2025
Item no.8
Court No.42
ss
(Dismissed)

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

C.R.M.(M) 1258 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of Dubrajpur Police Station Case No.171 of 2025 dated 14.04.2025 under Sections 137(2)/140(3) of the Bharatiya Nyaya Sanhita, 2023 adding Sections 4/8/12 of POCSO Act and Section 15 of the Prohibition of Child Marriage Act, 2006 corresponding to Special (P) Case No.17 of 2025 arising out of G.R. Case No.299 of 2025 now pending before the Court of learned Judge, Special Court (POCSO) cum Additional District Judge, 2nd Court, Suri, Birbhum.

And

In Re : Kalidas Sarkar

.... Petitioner

Mr. Kunal Ganguly

..... for the petitioner

Mr. Partha Pratim Das

Mr. Parvej Anam

... for the State

Service report filed by the State is taken on record.

Learned Advocate for the petitioner submits that the victim and the petitioner had previous love affairs. The victim left her house out of her own accord. There are no such ingredients of any forcible sexual assault. He seeks for enlargement of the petitioner on bail.

Opposing such prayer for bail, learned Advocate for the State submits that the statement of the victim does not show of any previous love affairs. The victim was taken away by the petitioner and forcibly married against her will and thereafter also taken to the house of his elder sister. The medical

examination is supportive of the statement of the victim. He seeks for dismissal of the bail application.

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

Perused the case diary and materials on record.

The statement of the victim shows that the petitioner took away the victim and married her. The victim at the time of incident was 13 years of age. There is also allegation of threatening. 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.

The application for bail being **CRM (M) 1258 of 2025** stands dismissed.

(Bivas Pattanayak, J.)