

11.08.2025
Item no.17.
Daily List
Court No.42
Mithun
(Rejected)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M.(M) 1268 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 arising out of Balurghat Police Station Case No.297 of 2025 dated 27.04.2025 under Sections 65(2)/351(2)/329(4)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4/8/12 of POCSO Act (corresponding Special (POCSO) Case No.37 of 2025) now pending before the learned Special Judge, (under POCSO Act) cum Additional District Judge, 2nd Court, Balurghat, Dakshin Dinajpur.

And

In Re : Godai Mondal @ Ashim Sarkar @ Godai

.... Petitioner

Mr. Kaushik Choudhury,
Mr. Sabyasachi Hazra

..... for the petitioner

Mr. Arijit Ganguli
Ms. Ratna Ghosh

... for the State

Service report filed by the State is taken on record.

Learned Advocate for the petitioner submits that there are no such allegations of any penetrative sexual assault save and except that the victim was touched. The petitioner is in custody for 102 days and after completion of investigation, charge-sheet has been submitted in this case. 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 along with other accused. She seeks for dismissal of the bail application.

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

Perused the case diary and materials on record.

The victim implicates this petitioner of penetrative sexual assault along with the other co-accused. Considering such incriminating materials and the nature and gravity of the offence, I am not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is rejected.

The application being **CRM(M) 1268 of 2025** stands dismissed.

(Bivas Pattanayak, J.)