

25.08.2025
Item no.14(DL)
Court No.42
AN
(Rejected)

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

C.R.M.(M) 1365 of 2025

In Re: An Application for Bail under Section 439 of Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with Special Case No. 205 of 2024 arising out of Rajarhat Police Station Case No. 485 of 2024 (CIS No. 203 of 2024) dated 05.12.2024 under Section 6 of the Protection of Children from Sexual Offences Act, 2012, now pending before the learned Judge, Special POCSO Court, Barasat, North 24 Parganas.

-And-

In the matter of : RRR

.... Petitioner

Mr. Uday Sankar Chattopadhyay
Ms. Bidisha Chakraborty
Ms. Sadia Parveen
Ms. Aishwarya Datta

...for the Petitioner.

Mr. Debabrata Chatteje
Mr. Sobhan Gani

...for the State.

1. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case. Victim's guardian declined to have the medical examination of the victim. The petitioner is in custody for 263 days. He seeks for enlargement of the petitioner on bail.

2. Opposing such prayer for bail, learned counsel representing the State submits that the victim implicates this petitioner. He 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 the materials on record.

6. The victim in her statement recorded under Section 164 of the Criminal Procedure Code implicates the petitioner of penetrative sexual assault. Considering the above incriminating materials and the 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. **CRM(M) 1365 of 2025** stands dismissed.

(Bivas Pattanayak, J.)