

26.08.2025
Item no.3(DL)
Court No.42
AN
(Allowed)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M.(M) 1368 of 2025

In re : An Application for bail under Section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Nandigram
Police Station F.I.R. Case No.234 of 2025 dated 17.04.2025
culminating into charge sheet vide no.420 of 2025 dated
14.06.2025 for the offence punishable under Sections
7(2)/140(3)/64(1)/BNS, 2023 read with Section 6(1) POCSO
Amendment Act, 2019 and Section 9 of Prohibition of Child
Marriage Act, 2025.

-And-

In the matter of : **Debraj Patra**

... Petitioner

Ms. Devi Priya Mitra,
Mr. Dhiman Roy,
Mr. Pritam Modak,
Mr. Dip Chanda

... for the Petitioner

Mr. Md. Adil Badr
Mr. Soumadip Saha

... for the State

Mr. Navanil De
Mr. Subhrajit Dey

... for the *de facto* complainant

1. Service report filed by the State is taken on record.
2. Learned Advocate for the petitioner submits that the
victim and the petitioner had love affairs and she left the
house on her own accord. The petitioner is in custody for
three months twenty days. He seeks for enlargement of the
petitioner on bail.
3. Learned counsel for the State, opposing such prayer
for bail, submits that the victim was taken away by the
petitioner and the petitioner entered into physical

relationship with the victim. He seeks for dismissal of the bail application.

4. Learned counsel appearing for the *de facto* complainant also opposes such prayer for bail and submits that at the time of the incident, the victim was minor and the petitioner had physical relationship with her. The victim is yet to be examined. He also seeks for dismissal of the bail application.
5. Perused the case diary and the materials on record.
6. The Statement of the victim shows that she left the house out of her own accord with the petitioner and she had love affair with the petitioner. There are no such allegations of forcible sexual intercourse. On completion of investigation, Charge sheet has been submitted in this case. The petitioner is in custody for three months twenty days. Considering the aforesaid, I am inclined to enlarge the petitioner on bail on the following conditions.
7. Accordingly, the petitioner, namely, **Debraj Patra** 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 Judge, Special Court, POCSO, Haldia. The petitioner shall appear before the learned 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 victim, witnesses and/or tamper with evidence in any manner whatsoever. The petitioner

shall meet the Inspector-in-Charge of Nandigram Police Station once in a fortnight, until further orders. The petitioner shall not enter the territorial jurisdiction of Nandigram 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 address where he shall presently reside before the learned trial court, the investigating officer and the Officer-in-Charge of the police station under whose jurisdiction he shall presently reside.

8. 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.
9. It is made clear that the observation made hereinabove is only for the sake of disposal of this application.
10. Accordingly, the application for bail being **CRM (M) 1368 of 2025** is disposed of.

(Bivas Pattanayak, J.)