

02.09.2025
Item no.9
Court No.42
ss
(Allowed)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 1450 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kotwali P.S. Case No. 345 of 2025 dated 22.03.2025 under Sections 137(2)/140(3)/3(5) of Bharatiya Nyaya Sanhita, 2023 subsequently charge sheet submitted being Charge Sheet No. 503 of 2025 dated 30.04.2025 under Sections 137(2)/140(3)/3(5) of Bharatiya Nyaya Sanhita, 2023 and adding Section 6 of the POCSO Act, now pending before the learned 2nd Additional District and Sessions Judge, Special Court (POCSO Act), Krishnagar, Nadia.

In Re : **Sayan Roy**

.... Petitioner

Mr. Agshuman Chakraborty,
Mr. S. S. Saha
Mr. Sofiul Islam Mondal

...for the Petitioner

Mr. Avishek Sinha,
Mr. Mainak Gupta

...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 victim left her house out of her own accord. There are no incriminating materials against the petitioner. The victim has refused to undergo medical examination. The petitioner is in custody for 154 days and upon completion of investigation, charge-sheet has been submitted in this case. He seeks for enlargement of the petitioner on bail.
3. Opposing such prayer for bail, learned Advocate for the State submits that the victim at the time of incident was

14 years of age and she was taken away by the 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. It is found that the victim had previous love affairs with the petitioner and she left her house out of her own accord. There are no such allegations of forcible act on the part of the petitioner. The petitioner is in custody for 154 days and upon completion of investigation, charge-sheet has already been submitted in this case. Considering the above, this Court is inclined to grant bail to the petitioner.
7. Accordingly, the petitioner, **Sayan Roy**, 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 under POCSO Act, Krishnagar, Nadia. The petitioner shall appear before the 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 witnesses and/or tamper with evidence in any manner whatsoever. The petitioner shall meet the Inspector-in-Charge of Kotwali Police Station once in a fortnight, until further orders.
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) 1450 of 2025** is disposed of.

(Bivas Pattanayak, J.)