

03.09.2025
Item no.8
Court No.42
ss
(Allowed)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 1495 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mogra P. S. Case No. 312 of 2025 dated 07.07.2025 under Sections 137(2)/140(3) of the Bharatiya Nyaya Sanhita, 2023 added Section 64(2)(m) of the Bharatiya Nyaya Sanhita, 2023 read with Section 6(1) of the POCSO Act, now pending before the learned Judge, Special Court under POCSO Act, Chinsurah, Hooghly.

In Re : **Sagar Manna**

.... Petitioner

Mr. Mrityunjoy Chatterjee,
Mr. Manas Das,
Ms. Suchismita Chakraborty
Mr. Arka Ray
Mr. Arindam Poali
Ms. Sabina Khatun

...for the Petitioner

Ms. Sukanya Bhattacharyya,
Ms. Suparna Chatterjee

...for the State

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 the victim left her house out of her own accord and married the petitioner. There are no such incriminating materials against the petitioner, who is in languishing for 50 days. He seeks for enlargement of the petitioner on bail.
3. Learned Advocate for the State, opposing such prayer for bail, submits that the victim was taken away and the medical examination is suggestive of the fact that she was forcibly ravished. She 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 states that she had love affairs with the petitioner. She left the house out of her own accord and married the petitioner. Although she states of physical relationship, however, there is no such allegation of any forcible sexual assault. Under what circumstances the marriage took place and the complicity of the petitioner in the said marriage may be examined in trial. The petitioner is in custody for 50 days. Considering the above, I am inclined to grant bail to the petitioner on stringent conditions.

7. Accordingly, the petitioner, namely, **Sagar Manna**, 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, Chinsurah, Hooghly. 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 Mogra Police Station once in a fortnight, until further orders. The petitioner shall not enter the jurisdiction of Mogra Police Station except for the purpose of attending court proceedings and reporting to the Inspector-in-Charge of concerned police station. The petitioner shall furnish the

address where he shall presently reside before the learned trial court, the investigating officer and the Inspector-in-Charge of the concerned 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) 1495 of 2025** is disposed of.

(Bivas Pattanayak, J.)