

03.09.2025
Item no.9(DL)
Court No.42
AN
(Allowed)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M.(M) 1504 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with English Bazar P. S. Case No. 1251 of 2025 dated 17.06.2025 under Sections 137(2)/140(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act, now pending before the learned ADJ-II Court, Special Judge, POCSO Court, Malda.

In Re : **Ranjit Sarkar @ Ranju**

.... Petitioner

Mr. Sagar Saha,
Ms. Nayana Mukhopadhyay
...for the Petitioner

Ms. Sandip Chakraborty,
Ms. Rajashree Tah
...for the State

1. Affidavit of service filed by the petitioner is taken on record.
2. Service report filed by the State also is taken on record.
3. Learned Advocate for the petitioner submits that the victim and the petitioner had love relationship and she left the house out of her own accord. There are no incriminating materials against the petitioner. The petitioner is in custody for 54 days. He seeks for enlargement of the petitioner on bail.
4. Learned counsel representing the State opposes such prayer for bail and submits that the victim was taken away by the petitioner and was ravished. He seeks for dismissal of the application for bail.

5. Despite service, none appears for the *de facto* complainant.
6. Perused the case diary and the materials on record.
7. The victim in her statement before the Magistrate stated that she had love affairs with the petitioner and she left the house out of her own accord and married the petitioner. There are no such allegations of any forcible sexual assault. The victim refused to undergo medical examination. Under what circumstances, the marriage has taken place and complicity of the petitioner in the said marriage may be examined and tested in trial. The petitioner is in custody for 54 days. Considering the aforesaid, I am inclined to enlarge the petitioner on bail on stringent conditions.
8. Accordingly, the petitioner, namely, **Ranjit Sarkar @ Ranju** 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 ADJ-II Court, Special Judge, POCSO Court, Malda. 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 English Bazar Police Station once in a fortnight, until further orders. The

petitioner shall not enter the territorial jurisdiction of English Bazar 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.

9. 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.
10. It is made clear that the observation made hereinabove is only for the sake of disposal of this application.
11. Accordingly, the application for bail being **CRM (M) 1504 of 2025** is disposed of.

(Bivas Pattanayak, J.)