

04.09.2025
Item no. 10
Court No.42
an

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

C.R.M.(M) 1517 of 2025

In Re: An application for bail under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tehatta Police Station Case No. 475 of 2025 dated 23.06.2025 under Section 103 of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of POCSO Act and Sections 10/11/12 of the Prohibition of Child Marriage Act, 2006 and subsequently Charge Sheet submitted on 09.08.2025 vide Charge Sheet No.657 of 2025 under Sections 137(2)/107/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 17 of the Protection of Children from Sexual Offence Act, 2012 and Sections 10/11 of the Prohibition of Child Marriage Act, 2006 now pending before the learned Judge, Special Court under POCSO Act, Tehatta at Nadia.

In Re : **XXX and anr.**

.... Petitioners

Mr. Shibaji Kumar Das
Mr. Amanul Islam
Mr. Sourav Mukherjee

...for the Petitioners

Ms. Subhasree Payel
Mr. Sandip Kundu

...for the State

1. Status report filed by the State is taken on record.
2. Learned advocate for the petitioner submits that they are the parents-in-law of the victim. The victim was married to the son of the present petitioners and she started to reside in the matrimonial home. The victim committed suicide thereat. There are no such allegations of any overt act on the part of the petitioners. The petitioners are in custody for 74 days and upon completion of investigations, chargesheet has been submitted under

Sections 137(2)/107/3(5) of the B.N.S., 2023 and Sections 10/11 of the Prohibition of Child Marriage Act, 2006 and Section 17 of the POCSO Act, 2012. He seeks for enlargement of the petitioners on bail.

3. Learned counsel representing the State opposes such prayer for bail and submits that there are allegations against the petitioners of torturing the victim leading to her death. He seeks for dismissal of the bail application.
4. Despite service, none appears for the *de facto* complainant.
5. Perused the case diary and the materials on record.
6. The statement of the witnesses though states of torturing upon the victim, however, the allegations against the petitioners appears to be omnibus. The post mortem report shows that the cause of death was due to effect of hanging which is ante-mortem in nature. There are no external injuries in the body of the victim. The petitioners are in custody for 74 days and upon completion of investigation, chargesheet has been submitted. Considering the aforesaid, I am inclined to enlarge the petitioners on bail on stringent conditions.
7. Accordingly, the petitioners 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 POCSO Court, Tehatta, Nadia. 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 no. 2 shall report to the Inspector-in-Charge of Tehatta Police Station once in a fortnight 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 petitioners fail 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) 1517 of 2025** is disposed of.

(Bivas Pattanayak, J.)