

10.09.2025
D/L 4
Court No.42
ab
(Allowed)

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

C.R.M.(M) 1548 of 2025

In Re: An Application for Bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with S.C. Special Case No. 24 of 2025 arising out of Manbazar Police Station Case No. 26 of 2025 dated 05.03.2025 under Sections 137(2)/140(3) of the BNS, 2023, subsequently charge sheet submitted vide Charge Sheet No. 68 of 2025 under Sections 137(2)/140(3) of the Bharatiya Nyaya Sanhita, 2023 read with Section 6 of the Protection of Children from Sexual Offences Act, 2012 now pending before the learned Additional Sessions Judge, 2nd Court, Purulia-cum-Special Judge under POCSO Act.

In Re : **XXXX**

.... **Petitioner**

Mr. Navanil De,
Ms. Monami Mukherjee

...for the Petitioner

Mr. Saibal Bapuli,
Mr. Sujoy Sarkar

...for the State

Ms. Puja Goswami

... for the *de facto* complainant

1. Affidavit of service filed on behalf of the petitioner 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 on her own accord. The petitioner and the victim married each other. The petitioner is in custody for about 107 days and upon completion of investigation, charge sheet has already been submitted in the present case. 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 by the petitioner and the petitioner established physical relationship resulting in pregnancy of the victim. He seeks for dismissal of the bail application.
4. Learned advocate for the *de facto* complainant submits that the victim is presently residing in her matrimonial home. She leaves the matter to the discretion of the Court.
5. Perused the case diary and the materials on record.
6. It is found from the statement of the victim that she had previous love affairs with the petitioner and she left her house on her own accord. She started to reside in the house of the petitioner. There is no such allegation of any forcible sexual assault. The petitioner is in custody for about 107 days and upon completion of investigation, charge sheet has already been submitted in the present case. Considering the above, I am inclined to grant bail to the petitioner on certain conditions.
7. Accordingly, the petitioner 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 Additional Sessions Judge, 2nd Court, Purulia-cum-Special Judge under POCSO Act, subject to the following conditions. (i) 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. (ii) The petitioner shall meet the Inspector-in-Charge of Manbazar 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) 1548 of 2025** is disposed of.

(Bivas Pattanayak, J.)