

03.12.2025
Serial no. 117
[G.S.D]

CRM (M) 1613 of 2025

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Pukhuria PS Case No. 245 of 2025 dt. 21.05.2025 corresponding GR No. 1881 of 2025 u/s 137(2)/115(2)/109/3(5) of the BNS and added section 70(1) of the BNS.**

-And-

In the matter of : Sekh Babu @ Sk Babu

... .. Petitioner(s)

Ms. Minoti Gomes
Mr. Imdadul Hoque

... for the Petitioner(s)

Mr. Soumik Ganguly
Mr. Sobham Gani

... for the State-respondent(s)

Ms. Sudeshna Maji

... for the defacto-complainant

Learned advocate for the petitioner submits that the petitioner and the defacto-complaint were in a relationship earlier, subsequently, defacto-complained married and after some time, the petitioner being allured met the de-facto complainant, who demanded money from the petitioner.

However, as the petitioner was unable to satisfy the demand, he had been subjected to harassment by way of initiation of the present criminal case and he is in custody for more than six months.

Learned advocate for the defacto- complainant opposes the prayer for bail and submits that the petitioner along with the others abducted the defacto-complainant and forcefully violated her privacy.

Learned advocate for the State also opposes the prayer for bail and draws the attention of the court to the statement u/s 164 of the Cr.P.C. as well as the documents.

Additionally, it has been submitted that one of the accused persons is absconding.

Having considered the nature of the offence and the fact that one of the accused is absconding, at this stage, I am not inclined to enlarge the accused on bail.

Hence, the prayer for bail of the petitioner is **Rejected.**

However, I direct the learned Magistrate to exhaust the process of law and split the case. Steps be taken for commitment of the case to the court of Sessions.

The petitioner would be at liberty to renew his prayer for bail after the aforesaid stage is reached.

Accordingly, CRM (M) 1613 of 2025 is **dismissed**, at this stage.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

