

24.09.2025
Item no.9
Court No.42
ss
(Allowed)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 1627 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhangar Police Station Case No.91 of 2025 dated 04.07.2025 under Section 64(2)(m)/69 of the Bharatiya Nyaya Sanhita and under Section 6 of POCSO Act currently pending before the Court of learned Judge, Special Court (POCSO Act), Baruipur, South 24-Parganas.

And

In Re : Raju Molla @ Rajibul Molla @ Raju Khan

.... Petitioner

Mr. Pawan Kumar Gupta
Syed Julfikar Ali
Ms. Sofia Nesar

..... for the petitioner

Mr. S. S. Imam
Mr. Sobhan Gani

... for the State

Ms. Afreen Begum

... for the *de facto* complainant

1. Learned Advocate for the petitioner submits that the victim and the petitioner had previous love relationship for last two years and since such relationship did not culminate into marriage it has given rise to the present FIR. There are no such incriminating materials against the petitioner who is in custody for 80 days and upon completion of investigation, charge-sheet has been submitted. He seeks for enlargement of the petitioner on bail.

2. Opposing such prayer for bail, learned Advocate for the State submits that the petitioner entered into physical relationship with the victim taking her to different hotels when

the victim was a minor. He seeks for dismissal of the bail application.

3. Learned Advocate for the *de facto* complainant submits that there has been continuous threat upon the victim from the side of the petitioner and his family members. The consent of a minor is no consent. The petitioner has ravished the victim. She seeks for dismissal of the bail application.

4. Perused the case diary and the materials on record.

5. The victim in her statement stated that she had previous relationship with the petitioner and the victim had also accompanied the petitioner to different places on several occasion. She alleges that the petitioner refused to marry her. The petitioner is in custody for 80 days and upon completion of investigation, charge-sheet has already been submitted in this case. Considering the above, I am inclined to grant bail to the petitioner.

6. Accordingly, the petitioner, namely **Raju Molla @ Rajibul Molla @ Raju Khan** 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, Baruipur, South 24-Parganas, subject to the following stringent 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 Bhangar Police Station once in a fortnight, until further orders.

(iii) The petitioner shall not enter the jurisdiction of Bhangar Police Station except for the purpose of attending court proceedings and reporting to the Inspector-in-Charge of concerned police station.

(iv) 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.

7. 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.

8. It is made clear that the observation made hereinabove is only for the sake of disposal of this application.

9. Accordingly, the application for bail being **CRM (M) 1627 of 2025** is disposed of.

(Bivas Pattanayak, J.)