

D/L 36
10.11.2025

Bpg.
Dismissed

C.R.M. (M) 1736 of 2025

In Re: An application for bail under Section 439 of the Code of Criminal Procedure 1973 corresponding under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Beldanga Police Station Case No.196 of 2023 dated 18.03.2023 under Section 376 of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offence Act, 2012 and charge-sheet submitted under Section 376 (2)(f)(n) of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offence Act, 2012;

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Versus

The State of West Bengal & Anr.

Mr. Shibaji Das

Mr. Amanul Islam

Mr. Sourav Mukherjee.

...for the petitioner.

Ms. Sayanti Santra

Ms. Rajnandini Das.

...for the State.

Affidavit of service filed by the petitioner be kept with the record.

Report submitted by the State be also kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 2 years 7 months and the evidence which till date has surfaced dilutes the case so far as the present petitioner is concerned.

State has produced the case diary and emphasized on the statement of the victim before the learned Magistrate as well as the medical evidence which is appearing.

Learned advocate appearing for the petitioner emphasized on the present evidence of the victim as well as mother of the victim.

Be that as it may, if there are deviations, the same are to be considered at the stage in the backdrop of the materials in possession of the prosecution.

Having considered the overall circumstances of the case and that only 4/5 witnesses have been examined out of 19 witnesses proposed to be examined, I direct the learned special court to conclude the examination of the prosecution witnesses by 15th February, 2026. In case the special court is unable to complete because of non-cooperation from the State and an application for bail is filed, learned special court will leniently consider the prayer for bail of the petitioner. It is further directed that the trial of this case would continue in spite of resolution of the local bar and no unnecessary adjournment be granted to any of the parties.

In view of the direction passed above, at this stage, CRM (M) 1736 of 2025 is dismissed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)

