

29.10.2025
SL No.20
Court No.446
(gc)
(Allowed)

CRM (M) 1739 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Nandakumar Police Station Case No.195/2024 dated 22.03.2024 under Sections 363/366/34 of the Indian Penal Code read with Sections 9/10 of the Prohibition of Child Marriage Act.

And

In the matter of : **Surjakanta Mal @ Surja Kanta Mal**
- Petitioner.

Mr. Arnab Chatterjee,
Mr. Avinaba Mukherjee,
Ms. Ankusha Ghosh

....For the Petitioner.

Mr. Aniket Mitra,
Ms. Rajashree Tah

....For the State.

1. It is submitted on behalf of the petitioner that he is aged about 21 years and the victim is aged about 14 years and they had a romantic relationship and he is in custody for 79 days. The charge-sheet has been submitted in this case.
2. The learned prosecutor draws the attention of this Court to the statement made by the victim under Section 161 as well as 164 Cr.P.C./Sections 181 and 182 of the BNSS, 2023 which prima facie shows different version.
3. On careful perusal of the materials on record, the statement made by the victim herself nothing can be found regarding application of force upon the victim. The victim has refused to go for medical examination . Considered the period of detention of the present petitioner and the charge-sheet has been submitted after completion of the investigation. Hence this Court is of the view that there is no need for further detention.

4. Hence, the prayer for bail is allowed.
5. Accordingly, the petitioner, namely, Surjakanta Mal @ Surja Kanta Mal, be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Tamluk, Purba Medinipur.
6. The petitioner shall appear before the learned trial Court on each and every date of hearing until further orders and shall not intimidate witnesses and/or tamper with evidence in any manner whatsoever.
7. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.
8. The application for bail is, thus, disposed of.
9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
10. Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Chaitali Chatterjee (Das), J.)