

13.11.2025

Item No.12

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 1778 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Habibpur Police Station Case No. 161 of 2025 dated 14.04.2025 under Sections 137(2)/140(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Om Harijan @ Om Roy**

... Petitioner.

Mr. Rana Mukherjee

... For the Petitioner.

Ms. Subhasree Patel,

Ms. Rajashree Tah

... For the State.

Mr. Amarendra Chakraborty,

Mr. Tonmay Chatterjee

... for the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for about 180 days and there were earlier incidents of the victim fleeing away with the present petitioner when she was recovered and subsequently again she fled away with the petitioner. Additionally, it has been submitted that the victim refused medical examination in course of investigation.

Learned advocate appearing for the State submits that the victim at the relevant point of time was 15 years 9 months.

Learned advocate appearing for the *de facto* complainant opposes the prayer for bail and submits that the evidence of the victim is yet to be recorded.

Having considered the stage of the case, I am of the opinion that at this stage it would not be fit and proper to release the petitioner on bail. As such, the prayer for bail of the petitioner is **rejected**.

Petitioner will be at liberty to approach this Court for renewal of prayer for bail after the evidence of the victim is over.

The application for bail, being CRM (M) 1778 of 2025, is, thus, dismissed.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)