

10.11.2025
Serial no. 41
[G.S.D]

CRM (M) 1759 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 **Malda P.S. Case No. 447 of 2025 dated 28.06.2025 under Section 6 of the Protection of Children from Sexual Offences Act.**

-And-

In the matter of : Uncle of the Petitioner

... .. Petitioner(s)

Mr. Sagar Saha
Ms. Nayana Mukhopadhyay

... for the Petitioner(s)

Mr. Subhomoy Bhattacharya
Md. Ejaz Akhtar

... for the State-respondent(s)

Mr. Sandeep Prasad Shaw
Mr. Aman Kumar Singh
Mr. Bishal Ghosh

... For the Defacto-complainant

The earlier order dated 26.09.2025 reflects that a Co-ordinate Bench of this Hon’ble Court was pleased to grant interim bail on some stringent conditions.

Mr. Bhattacharya, learned advocate for the State, on instruction from the investigation officer of the case submits that the investigating agency is yet to receive the DNA report.

I have taken into account the findings of the Co-ordinate Bench while granting interim bail. However, there is no adverse report so far as the present petitioner is concerned.

Having regard to the same, the interim bail granted by the Co-ordinate Bench on 26.09.2025 is **affirmed** on the same conditions.

Accordingly, CRM(M) 1759 of 2025 is **allowed**.

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

The investigating officer is personally present in court. His further appearance before this court for the day is dispensed with.

It is pointed out that in the order dated 26.09.2025, the name of the learned advocate appearing for the State has been *inadvertently* recorded as 'Sushomay Bhattacharya'. The same is incorrect, it should be read as follows:

"Mr. Subhomoy Bhattacharya
Md. Ejaz Akhtar

... For the State-respondent"

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.)

