

28.03.2025
26 to 27
Court No.26
S.D.
Rejected

CRM (DB) 3138 of 2024

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Women Police Station Case no. 31 of 2021** dated **20.11.2021** under Sections **5(d)(p)/6/7** of POCSO Act and Section 75/87 of the Juvenile Justice (Care & Protection) Act, 2015.

-And-

In the matter of: Chhaya Hazra
... ... Petitioner

With
CRM (DB) 3144 of 2024

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Women Police Station Case no. 31 of 2021** dated **20.11.2021** under Sections **5(d)(p)/6/7** of POCSO Act and Section 75/87 of the Juvenile Justice (Care & Protection) Act, 2015.

-And-

In the matter of: Papiya Halder
... ... Petitioner

With
CRM (DB) 3384 of 2024

In re: An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973 read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Women Police Station Case no. 31 of 2021** dated **20.11.2021** under Sections **5(d)(p)/6/7** of POCSO Act and Section 75/87 of the Juvenile Justice (Care & Protection) Act, 2015.

-And-

In the matter of: Rama Roy
... ... Petitioner

Mr. Sabyasachi Chatterjee
 Mr. Badrul Karim
 Mr. K. Sk.

... .. For the Petitioner

Mr. Debashis Banerjee
 Mr. Rakesh Jana

... ..For the defacto complainant

Mr. Subhamoy Bhattacharya
 Mr. Sharequl Haque

..for the State in C.R.M. (DB) 3138 of 2024

Mr. Iqbal Kabir
 Mr. Atulya Sinha

..for the State in C.R.M. (DB) 3384 of 2024

Mr. Bitasak Banerjee

..for the State in C.R.M. (DB) 3144 of 2024

Three applications for bail are taken up for consideration analogously as they emanate out of the same police case.

Report submitted in Court be taken on record.

Trial is at the fag end. Evidence of the second Investigating Officer is ongoing. Next dates are on April 7, 2025 and April 8, 2025.

Three of the petitioners before us stand implicated in aggravate sexual assault on minors who were inmates of a Care Home. Petitioners are the caregivers of such Care Home.

Learned advocate appearing for the petitioner draws the attention of the Court to the depositions of the victims recorded at the trial.

Depositions of the victims recorded at the trial implicates all the petitioners before us in the charges framed as against them.

We hasten to add that this finding of ours is only for the purpose of consideration of the applications for bail made by the petitioners.

The attention of the Court is drawn to the fact that the names of the victims appear from the charge sheet which annexed to the petition and uploaded in the Sarthak Software.

State will take appropriate steps to ensure that the names of the victims wherever they appear in the document uploaded in the Sarthak software is appropriately dealt with so as to ensure the privacy of the victims.

Leave granted to the learned advocate on record for the petitioners to amend the petitions appropriately.

We are not inclined to grant bail to the petitioners considering the gravity of the offence and the materials on record implicating the petitioners and the prayers for bail of the petitioners are rejected.

The applications being **C.R.M. (DB) 3138 of 2024, C.R.M. (DB) 3144 of 2024 and C.R.M. (DB) 3384 of 2024** stand dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)