

27.11.2025

Court No.35.

D/L. 182.

Kausik

(Rejected)

CRM (M) 1842 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Joynagar Police
Station Case No. 312 of 2024 dated 27.04.2024 under sections
376(2)(j)/376 (AB) of the Indian Penal Code and under Section 6
of the POCSO Act;

And

In the matter of : Ibrahim Sardar @ Ibra

.....Petitioner.

Mr. Pronojit Ray

Mr. Ashutosh Mondal

.....for the Petitioner.

Mr. Amit Ranjan Pati

Mr. Sunayan Ghosh

Mr. Khadijatul Kubra

.....for the Defacto Complainant.

Ms. Baishali Basu

Ms. Puspita Saha

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for 1 year and 7 months and
there has hardly been any progress in the prosecution evidence
according to the petitioner. There are discrepancies in the
evidence which enures benefit to the petitioner for being
released on bail.

Learned advocate appearing for the State produces the
case diary and has drawn the attention of the Court to the
statement of the victim as well as the medical report.

Learned advocate for the defacto complainant is present
and opposes the prayer for bail.

Having considered the materials appearing against the present petitioner, I am not inclined to release the petitioner on bail.

As such the prayer for bail of the petitioner in CRM (M) 1842 of 2025 is dismissed.

Learned Trial Court would understand that indefinitely a person cannot be kept in custody. There must be some efforts on behalf of the prosecution to produce the witnesses on the date fixed. Earlier there were direction from the High Court in respect of cases under the Special Act. Consequently, the Nodal Officer has already been engaged in the District. The Nodal Officer would ensure regarding the availability of the witnesses on the date so fixed by the learned Trial Court. All efforts be exerted to conclude the trial within a reasonable period of time.

Learned advocate for the State is directed to communicate this court to the learned Trial Court.

Report submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order 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.)