

16.10.2025

Item No.DL18
Court No. 16
VACATION
BENCH

Allowed

Asraf & Sudipta

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction
Appellate Side

Case No. CRM (M) 1841 of 2025

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nimta Police Station Case No. 549 of 2023 dated 20.12.2023 under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

-AND-

In Re : **Totan Shil @ Toton Shil @ Toton Singh @ Totan Sil**
.....Petitioner

For the Petitioner :

Mr. Koustav Bagchi
Mr. Debayon Ghosh

.....Advocates

For the State :

Ms. Sonali Das
Mr. Sarthak Mondal

.....Advocates

1. Affidavit of service has been filed in a sealed envelope. It appears that the article has been received on 3rd October, 2025. Let it be kept with the record.
2. Heard the submissions made on behalf of the parties.
3. After perusal of the materials on record from the case diary as well as the records as available before this Court and considering the nature of allegation and various statements made by the witnesses and the fact that chargesheet has been submitted in this case and also the victim has refused to undergo the medical examination, this Court inclines to allow the prayer for bail in respect of the present petitioner.

4. Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Barrackpore, North 24 Parganas subject to the condition that he shall not threaten or intimidate any of the witnesses including the victim or tamper with evidence in any manner whatsoever and on further condition that he shall not enter the jurisdiction of the concerned police station till completion of the trial excepting as and when called for by the investigating authority and he shall furnish the new residential address to the investigating authority. He shall also appear on each and every date fixed before the learned Trial Court.
5. It is made clear that in the event, the petitioner fails to comply with any of the above conditions, the learned Trial Court will be at liberty to cancel the bail without any further reference to this Court.
6. Accordingly, CRM(M) 1841 of 2025 is disposed of.
7. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

[Chaitali Chatterjee (Das), J.]