

Vacation
Bench
DL.23
16-10-2025
Ct. No.16
Saikat
(Allowed)

CRM(M)/1854/2025

**LAXMAN GHOSH @ LAKSHMAN
VS.
THE STATE OF WEST BENGAL & ANR.**

In Re: Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita filed in connection with Habibpur P.S. Case No.236/2023 dated 13.07.2024 under Sections 363/373/376 of IPC and Section 6 of the POCSO Act and Sections 9/10 of the Prohibition of Child Marriage Act, 2006.

Ms. Sonali Das, Adv.
Mr. Arup Bhowmick, Adv.

...For the Petitioner

Ms. Z.N. Khan, Adv.
Mr. Nirupam Dhali, Adv.

...For the State

1. Affidavit-of-Service as filed under sealed cover opened before this Court by the petitioner, be kept with the record, which reveals that the item delivered on 7th October, 2025.
2. None appears on behalf of the victim.
3. It is submitted on behalf of the petitioner that the petitioner is in custody for last ten months and charge has been framed. The trial has not yet commenced. He has falsely implicated in this case.
4. The Prosecution raises objection. The matter is fixed in the month of December, 2025, for production of the witnesses.
5. Having heard the submission of the learned advocates appearing for the parties, on careful perusal of the materials in the case diary as well as the nature of allegation levelled and that the

refusal made by the victim girl for medical examination and considering the charge-sheet as submitted and the period of detention, this Court finds no reason for keeping the accused behind the bar.

6. Accordingly, the prayer for bail stands allowed.
7. Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs. 30,000/- with two sureties and one must be local to the satisfaction of the learned Chief Judicial Magistrate, Malda and on condition that the petitioner shall not enter the said village till completion of the trial. He shall furnish his new residential address to the Investigating Officer and will not try to influence the investigation and the witnesses directly or indirectly and also shall not tamper with the evidence in any manner and he shall appear before the learned trial court on each and every date as fixed by the trial court. If he fails to comply with and/or adhere to the above conditions, the learned trial court is at liberty to cancel the bail of the petitioner in accordance with law.
8. The application being CRM(M) No.1854 of 2025 is, thus, disposed of.
9. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance of all requisite formalities.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

[CHAITALI CHATTERJEE (DAS), J.]