

D/L 16
19.11.2025

Bpg.
dismissed

C.R.M. (M) 1870 of 2025

In Re: An application for bail under section 439 of the Code of Criminal Procedure read with section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Baruipur Police Station Case No.332 of 2023 dated 23.03.2023 under Sections 376(3)/376(2)(n) of the Indian Penal Code and under section 6 of the Protection of Children from Sexual Offences Act ;

Sandip Sardar

Versus

The State of West Bengal & Anr.

Mr. Soumya Nag

Mr. Rajdeep Sengupta.

...for the petitioner.

Ms. Shaila Afrin

Mr. Prakash Mishra.

...for the State.

Mr. Santanu Talukdar.

...for the de facto complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 2 years 6 months. Learned advocate submits that there is no possibility of the trial being concluded very soon and only one witness (victim girl), out of 16 witnesses proposed to be examined by the prosecution, till date has been examined.

Learned advocate appearing for the State has produced the case diary.

Having regard to the purpose for which the POCSO Act was enacted, I am not inclined to release the petitioner on bail at this stage. However, State must understand that for infinite period a person cannot be detained in custody. State is granted three

months' time from the next date so fixed to conclude rest of the witnesses. No unnecessary adjournment be granted to any of the parties. The trial of the case would continue irrespective of resolution of the local bar.

Accordingly, CRM(M) 1870 of 2025 is dismissed at this stage.

Liberty is granted to the learned advocate appearing for the State to communicate this order to the learned trial court.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)