

Vacation
Bench
DL.20
09-10-2025
Ct. No.07
Saikat
(Allowed)

CRM(R)/131/2025

SANKAR DHALI

VS.

STATE OF WEST BENGAL & ANR.

In Re: Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita filed in connection with New Barrackpore P.S. Case No.90/2025 dated 27.03.2025 under Sections 75/76/77/351(2) of Bharatiya Nyaya Sanhita, 2023 and section 12 of the POCSO Act.

Mr. Debasis Kar, Adv.

...For the Petitioner

Ms. Manisha Sharma, Jr. Govt. Adv.

Ms. Suruchi Saha, Adv.

...For the State

1. The learned advocate for the petitioner, learned advocate and the learned advocate for the State of West Bengal are present.
2. Heard the submission of the learned advocates appearing for the parties.
3. The learned advocate appearing for the petitioner submits that the incident took place three years ago and the petitioner has been falsely implicated in the instant case in order to only harass him. The petitioner is in custody for about seven months.
4. The learned advocate appearing for the State respondent opposes the prayer for bail.
5. Peruse the materials in the case diary and the statement recorded under section 164 Cr.P.C.
6. Upon perusal of the materials in the case diary it appears that no medical examination was done with regard to the

victim girl, although there are allegations against the petitioner.

7. Considering the nature of offence, the detention suffered by the accused and since the investigation is complete, in the interest of justice, the petitioner should be enlarged on bail.
8. The prayer for bail is, therefore, allowed.
9. Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount and one must be local to the satisfaction of the learned Additional Chief Judicial Magistrate, Barrackpore, North 24-Parganas and on further condition that the petitioner shall meet the Officer-in-Charge of the concerned police station once in a week, shall not enter into the locality where the *de facto* complainant resides and shall not meet the persons and/or witnesses acquainted with the instant case. The petitioner shall not leave his jurisdiction without leave of the learned trial court. In the event of violation of the conditions of this order, the learned trial court may cancel the bail of the petitioner.
10. The application being CRM(R) No.131 of 2025 is, thus, disposed of.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(BISWAROOP CHOWDHURY, J.)