

14.11.2025

Item No.19

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 1938 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Jagaddal Police Station Case No. 323 of 2023 dated 10.08.2023 under Sections 366A/370/370A/372/373 of the Indian Penal Code and Sections 6/17/21 of the Protection of Children from Sexual Offences Act and Sections 3/4/5/6/7 of the Immoral Traffic Prevention Act.

And

In Re : **Pinaki Biswas**

... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha

... For the Petitioner.

Mr. Saibal Bapuli, APP,
Ms. Rita Dutta

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for about 2 years 2 months and till date, there has been no progress in the case. Learned advocate submits that the petitioner has been alleged to be a customer and as such, on any stringent condition, he may be released on bail.

Learned advocate for the State has produced the case diary.

I have considered the statement under Section 164 of the Code of Criminal Procedure as well as the other statements recorded under Section 161 of the Code of Criminal Procedure. Having regard to the age of the victim girl and that the petitioner is not simply a customer, but

there are overt acts in the chain of circumstances in the alleged commission of offence, I am of the view that this is not a fit case for granting bail. As such, the prayer for bail of the petitioner is **rejected**.

Registrar (Judicial Service), High Court, Calcutta would send necessary instructions that in case Presiding Officer is not present in the POCSO Court, the In-Charge Court would proceed with the evidence of the case.

The application for bail, being CRM (M) 1938 of 2025, is, thus, dismissed.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)