

27.11.2025

Item No.1
Ct.No.35
dc.

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

C.R.M. (M) 2098 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Titagarh Police Station Case No. 160 of 2025 dated 05.05.2025 under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Anil Ray @ Anil Kumar Ray**

... Petitioner.

Mr. Moyukh Mukherjee,
Mr. Abhijit Singh,
Ms. Sagnika Banerjee

... For the Petitioner.

Ms. Puspita Saha

... For the State.

Learned advocate for the petitioner has submitted documents enclosing the academic certificates of the petitioner's son and claiming the petitioner's son to be a juvenile.

Having considered that the Juvenile Justice (Care and Protection of Children) Act, 2015 has categorized offences into heinous offences, serious offences and petty offences and the present case being under Section 6 of the Protection of Children from Sexual Offences Act, 2012, I am of the view that if a fresh application is filed before the learned court, learned court would adhere to the provisions of the aforesaid Act and leave it to the Board to decide regarding the fate of the case.

If any application is taken out on behalf of the petitioner's son, the same may be disposed of within a period of seven days from filing of the said application.

Prima facie, the learned Trial Court has arrived at a conclusion and treated the petitioner's son as a child in conflict with law. If the same is the finding of the learned Trial Court, the whole procedure under the aforesaid Act is to be followed and the petitioner's son is to be kept in a Home considering the age.

Bail in a case under this Act is not mandatory. Considering the nature of the offence, it would be the discretion of the Board and/or the consequent forum to decide the same.

With the aforesaid observations, the application for bail, being CRM (M) 2098 of 2025, is disposed of.

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.)