

43. 10.01.2025  
Court  
No.29 (Pritam)  
(Allowed)

IN THE HIGH COURT AT CALCUTTA  
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 3894 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Madhyamgram** Police Station Case No. **612/2024** dated **07.09.2024** under Sections **64(2)(m)/351(3)** of the Indian Penal Code, 1860 and Section **4** of the **POCSO** Act.

And

In the matter of: - **Syed Asifuddin @ Syed Asif Uddin.**  
...petitioner.

Mr. Navanil De,  
Ms. Monami Mukherjee  
...for the petitioner.  
Mr. Sumanta Chakraborty  
.....for the *de-facto*.  
Mr. Arani Bhattacharya  
...for the State.

**Dictated by Arijit Banerjee, J.**

1. Service report filed in court today be kept with records.
2. The petitioner says that he has been falsely implicated. There was a long-standing amorous relationship between him and the victim girl, which continued for about two years. Thereafter, over a trivial issue, the relationship turned assiduous. The victim girl insisted that he must marry her immediately. Upon his refusal, the victim girl has lodged this false case. He is in custody for 124 days. Investigation is complete. He seeks bail.

3. Opposing the prayer for bail, learned advocates for the State and the *de-facto* complainant draw our attention to the statement of the victim girl recorded under Section 164 Cr.P.C.
4. From the statement of the victim girl as also from the FIR, one thing is clear and that is, there was, indeed, a relationship between the petitioner and the victim girl. In the FIR, the girl says that upon the petitioner refusing to marry her, she had lodged the First Information Report (FIR).
5. There is nothing significant in the medical report, which would implicate the petitioner.
6. On an overall assessment of the facts and circumstances, we are of the view that further custodial detention of the petitioner may not be necessary.
7. Accordingly, we **allow** the petitioner's prayer for bail.
8. Accordingly, we direct that the petitioner, namely, **Syed Asifuddin @ Syed Asif Uddin** shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned *Judge, Special (POCSO) Court*, Barasat, North 24 Parganas. The petitioner shall appear before the trial Court on each and every date of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973 / Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The

petitioner shall not enter the territorial jurisdiction of *Narayanpur* Police Station except for the purpose of attending court proceedings, until further orders. The petitioner shall report/meet to the Officer-in-Charge/Inspector-in-Charge of *Narayanpur* Police Station once in every week and shall inform the Investigating Officer about his latest address where he will be residing while on bail, until further orders.

9. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this court.
10. The application for bail being CRM (DB) 3894 of 2024 is, thus, disposed of.
11. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
12. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

**(Arijit Banerjee, J.)**

**(Apurba Sinha Ray, J.)**