

22.12.2025
Court No.35.
D/L. 19.
Rakib
(rejected)

CRM (M) 2597 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Nandigram Police Station case no. 307 of 2025 dated 20.05.2025 under Sections 137(2)/140(3) of the Bharatiya Nyaya Sanhita and adding Section 65(1) of the Bharatiya Nyaya Sanhita, adding Section 6(1) of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act, 2006.

And

In the matter of : Petitioner.

.....Petitioner.

Mr. Sk Rejaul Alam

.....for the Petitioner.

Mr. Soumik Ganguly

Mr. Raju Mondal

.....for the State.

Mr. Arani Bhattacharyya

.....for the De-facto complainant.

Report submitted by the State be kept with the record.

Learned advocate appearing for the petitioner prays for bail as the petitioner is in custody for 114 days and according to the petitioner there was a relationship which resulted in such fate of the petitioner.

Learned advocate for the de-facto complainant as well as the State opposes the prayer for bail.

I have checked the statement under Section 183 of the BNSS. Having considered that the charge-sheet has already been submitted and charges are yet to be framed, I direct the learned Special Court to overcome the stage of consideration of charges within the 1st Week of January, 2026 thereafter the

learned Court within a period of 15 days will fix date for examination of the victim.

If the evidence of the victim creates a circumstance which would inspire confidence in the learned Special Court for exercising his discretionary power, I am of the view that the learned Special Court would be at liberty at that stage to take into account the evidence of the victim and release the petitioner on bail on such terms and conditions as he deems fit and proper.

At this stage, however, the before the evidence under Section 35 of the POCSO Act is completed, I am not inclined to release the petitioner on bail.

Consequently, CRM (M) 2597 of 2025 is **dismissed**.

All parties shall act in terms of server copy of the order 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.)