

52.
Court
No.29

20.01.2025

(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (DB) 4112 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 Golabari P.S. Case No.362/2024 dated 20.11.2024.

And

In the matter of: - **Bikram Kumar Yadav** ...petitioner.

Mr. Arka Pratim Chowdhury
Ms. Afreen Tarannum
Mr. Aditya Kumar Sonar ...for the petitioner.

Mr. Rana Mukherjee, APP
Mr. Sobhan Gani ...for the State.

Ms. Rupsa Sreemani ...for the *de facto* complainant.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner submits that the petitioner has admitted that he had a physical relationship with the minor girl at the relevant point of time. However, though he wanted to marry her, she refused and thereafter she made physical relationship with several other persons. As the investigation is complete, he may be enlarged on bail on any condition that this Court may decide.
2. Learned Counsel for the *de facto* complaint raises strong objection against the prayer for bail.
3. Learned Counsel for the State also raises objection. He draws our attention to the statement of the victim girl recorded

under Section 164 of the Code of Criminal Procedure, 1973 /
Section 183 of the Bharatiya Nagarik Suraksha Sanhita,
2023.

4. We have considered the materials on record. There are sufficient incriminating materials against the petitioner showing that physical relationship took place at the instance of the present petitioner and the minor girl's consent is immaterial.
5. Considering the materials on record, we are not inclined to allow the prayer for bail of the present petitioner, at this stage.
6. The application being CRM (DB) 4112 of 2024 is accordingly dismissed.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)