

21.01.2025.
Sl. No.06.
Ct. No. 1
SG
(Rejected)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench At Jalpaiguri

C.R.M. (DB) 19 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sessions Case No. 172 of 2024 arising out of Kotwali P.S. Case No. 713 of 2024 dated 16.10.2024 under Sections 137(2)/140(3)/49 of BNS and Section 6 of POCSO Act.

And

In the matter of : **Dinanath Pathak.**

... Petitioner.

Mr. Saikat Chatterjee,
Ms. Purbasha Sarkar.

...for the petitioner.

Mr. Aditi Shankar Chakraborty, ld. A.P.P
Mr. Biswarup Roy.

...for the State.

1. Petitioner is in custody for 95 days. Investigation is complete. He contends there was a romantic relation between him and the victim girl. Accordingly, he prays for bail.

2. Learned Advocate for the State opposes the prayer for bail. He contends petitioner was a married person.

3. In reply, petitioner contends he is separated from his wife and divorce proceeding is pending. Victim was aware of his marital status.

4. We have considered the materials on record. Victim is a minor girl. Petitioner was a married person. In her statement victim contended petitioner had suppressed his marital status and had sexual intercourse with her.

5. In light of the aforesaid incriminating materials and vulnerability of the minor victim, we are not inclined to grant bail to the petitioner.

6. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)