

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

13.02.2025

Court No.01
rpan/15

CRM (DB) 46 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with
Maynaguri Police Station Case no. 351 of 2024 dated 12.08.2024
under Section 6 of the Protection of Children from Sexual Offences
Act, 2012;

And

In Re : **Nitai Biswas**

- Petitioner

Mr. Biswarup Roy,
Mr. Sourav Kundu
... for the petitioner.

Mr. Ujjwal Luksom,
Ms. Namrata Das
... for the State.

Mr. Abhishek Singh
... for the *de facto*/ victim girl.

Mr. Roy, learned advocate appearing for the petitioner
submits that there was a consensual relationship between the
victim and the petitioner, who are aged about 15 years and 26
years respectively. The petitioner has already suffered detention
for 180 days and upon completion of investigation, chargesheet
has been submitted. In the said conspectus, further detention of
the petitioner may not be necessary.

Mr. Luksom, learned advocate appearing for the State
opposes the petitioner's prayer and draws our attention to the
medical report and the statement of the victim, as recorded under
Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Mr. Singh, learned advocate enters appearance of behalf of
the victim girl.

Having heard the learned advocates and considering the gravity of the offence, the nature of accusations and the extent of complicity of the petitioner in the alleged offence, we are not inclined to exercise discretion in his favour at this stage.

Accordingly, the application for bail, being CRM (DB) 46 of 2025, is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Prasenjit Biswas, J.)

(Tapabrata Chakraborty, J.)