

18.06.2025
Serial no. 49
[G.S.D]

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

CRM (DB) 132 of 2025

In re : An Application for **Bail** under Section **483** of the BNSS, 2023 in connection with **Pradhan Nagar P.S. Case No. 313 of 2024 dated 05.05.2024 under Section 376(2)(n)/306 of the IPC read with Section 6 of the POCSO Act, 2012 corresponding to POCSO Case No. 44(05) of 2024.**

-And-

In the matter of : Satam Sarkar @ Saptam Sarkar
... Petitioner(s)

Mr. Sudip Guha

... for the petitioner(s)

Mr. A. S. Chakraborty, Id. APP
Mr. Tapan Bhattacharjee

... for the State

Mr. Mayank Roy

... for the defacto-complainant

Leave is granted to the petitioner to amend the cause title particularly with regard to the Sections appended in respect of the offences under the IPC.

Learned advocate for the petitioner submits that the petitioner is in custody since 6th May, 2024 and, although, charge has been framed, till date, no witness has been examined.

Learned advocate for the State opposes the prayer for bail and refers to the Case Diary.

I have considered the materials appearing in the Case Diary including the post mortem report and on an assessment of whole of the case, I am of the view that the petitioner being in custody for more than 13 months is entitled to be released on bail at this stage.

Accordingly, prayer for bail of the petitioners is **Allowed.**

As such, the petitioner be released on **bail** with conditions that the petitioner would furnish bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Special Judge under the POCSO Act, Siliguri. It is categorically stated that the local surety must be of a person residing within the jurisdiction of the learned Special Judge, POCSO Act, Siliguri who would furnish title deed of a property which would be kept in custody of the court till the trial of the case is over. The petitioner shall make himself available on each and every date of the trial before the learned trial court and shall cooperate with the progress of the trial. The petitioner during the trial shall not leave the jurisdiction of Siliguri Sub Division without prior permission from the learned Special Judge.

Learned Special Court is also directed that in case of any non-compliance of the aforesaid conditions, the learned

Special Court would be at liberty to cancel the bail without further reference to this Court.

Accordingly, CRM(DB) 132 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)