

10.
16.05.2025
(Ct. No. 03)
DB

**HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

CRM (DB) 179 of 2025

In Re.: an application under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Siliguri
Police Station Case No. 872 of 2024 dated 23rd September,
2024 under Section 64(1) of the BNS, read with section 4 of
the POCSO Act, 2012.

And

In the matter of : **KARNA BARMAN**

Mr. Swarup Das, Adv.

... for the petitioner

Mr. N. Chakraborty, Ld. Adv.
Mr. S. Chatterjee, Adv.
Mr. Chattu Roy, Adv.

.... For the State

1. Mr. Swarup Das, Learned Advocate, is appearing for the
petitioner.

2. Mr. N. Chakraborty, Learned Advocate, is appearing for
the State.

3. The petitioner has filed an application under Section
483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, Case
No. 872 of 2024 dated 23rd September, 2024 under Section
64(1) of the BNS, read with section 4 of POCSO Act, 2012

pending before the Learned Special Judge, 1st Court, Siliguri, Darjeeling, under Special Case No. 114 of 2024.

4. Counsel for the petitioner submits that the petitioner is aged about 20 years and the victim is more than 17 years and both were in a love affair. Counsel for the petitioner submits that the petitioner was arrested in the month September, 2024 and since then he is in correctional home.

5. He submits that the police has completed the investigation and submitted the charge sheet and charge is also framed and no purpose would be served by keeping the accused in custody.

6. Per Contra learned Counsel for the State submits that the allegation against the petitioner is grievous in nature and there is serious allegation made against the petitioner in the statement recorded under Section 161 of the CrPC. Counsel for the State submits that charge has been framed and date is fixed for examination of witness and if at this stage petitioner is granted bail there is every chance that he will hamper and tamper with the evidence.

7. Heard the learned counsel for the respective parties. Perused the material on record.

8. This Court finds that the allegation made against the petitioner is serious in nature and after completion of investigation police has already submitted charge sheet and charge is framed and date is fixed for examination of the witness including the victim and if at this stage the petitioner is released on bail, there is every chance that the petitioner will hamper and tamper with the evidence. Accordingly, this Court is not inclined to grant the bail.

9. CRR (DB) 179 of 2025 is dismissed.

(Krishna Rao, J.)