

06
08-04-2025
(Ct. no.3)
RUP

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (DB) No. 184 of 2025

In re: An application for bail under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bhartiya Nagarik Suraksha Sanhita in connection with **Naxalbari Police Station Case No.141 of 2025** dated **29.05.2022** under Section **363** of the Indian Penal Code read with Section **6** of the Protection of Children from Sexual Offences Act, 2012 corresponding to Sessions (POCSO) Case No.08 of 2025.

- A n d -

In the matter of: Sujit Sharma @ Sujeet Sharma
.... Petitioner

Mr. Joydeep Kanta Bhowmik,
Mr. Sayantan Bhowmik,
Mr. S. Kumar
Ms. Sayantani Das
Ms. Priti Das.
... For the Petitioner

Mr. Abhijit Sarkar.
Mr. Saikat Chatterjee.
... For the State

Liberty is given to the petitioner to make the necessary correction in the cause title.

I am dealing with an application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, wherein petitioner has sought for grant of bail in connection with Naxalbari P.S. Case No.141 of 2022 dated 29.05.2022 involving the offence under Section 363 of the Indian Penal Code as it appears from the formal FIR.

Learned counsel appearing on behalf of the petitioner has submitted that on 29.05.2022 missing diary was lodged by the father of the victim being a minor girl of 17 years of age.

It is further submitted that both of them are married and having their male child and they are leading conjugal life.

In opposition to that learned counsel appearing on behalf of the State has relied on evidence collected during investigation. Learned counsel has also drawn my attention to the statement under section 164 of the Cr. P.C.

Learned counsel appearing on behalf of the State has further submitted that consent of the victim girl appears non significant in terms of her minor age i.e. 17 years.

Considering all facts and circumstances discussed herein before, I find no reason to disallow the prayer for bail on behalf of the petitioner.

Petitioner shall be released on bail subject to furnishing bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Special Judge, (POCSO), Siliguri and on further condition to make himself available before the Trial Court on every date fixed for hearing until further orders and shall not intimidate witnesses and/or tamper with the evidence in any manner whatsoever.

In the event, the petitioner fails to comply with the conditions as enshrined hereinbefore, it is open to the Learned Trial Court to cancel the bail without any further reference to this Court.

Accordingly, **CRM (DB) No. 184 of 2025** stands disposed of

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

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Bibhas Ranjan De, J.)