

10.06.2025
Item no. 47.
Court No.2.
Rakib

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

CRM (M) 80 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Mekhliganj Police Station Case No. 75 of 2025 dated 16.03.2025 under Sections 61(2)/351(3) of the Bhartiya Nyaya Sanhita, 2023 read with Section 6 of Protection of Children from Sexual Offences Act, 2012.

And

In the matter of : Jharen Barman.

.....Petitioner.

Mr. Hillol Saha Poddar.
.....for the Petitioner.

Mr. Bhaskar Das,
Mr. Dhiman Sil.
.....for the State.

Affidavit-of-service filed by the petitioner be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 83 days and investigation of case having already been completed the charge-sheet has been submitted, thus further detention of the petitioner is unwarranted. As such the petitioner may be released on any stringent conditions.

Learned advocate appearing for the State has produced the Case Diary and referred to the statement of victim under

Section 183 of the BNSS as also the materials collected in course of the examination. It has also submitted on behalf of the State that the report in relation to ascertainment in respect of the DNA of the foetus is yet to be received, since the victim had suffered pregnancy allegedly at the behest of the accused persons who have been named in the charge-sheet.

Considering the nature of the offence complained of, the stage of the case and the fact that the DNA report is yet to be received, I am not inclined to release the petitioner on bail at this stage.

Accordingly, CRM (M) No. 80 of 2025 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)