

17.06.2025
Item no. 24.
Court No.2.
Kausik

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (M) 116 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Naxalbari
Police Station Case No. 175 of 2023 dated 07.08.2023 under
section 376/506 of the Indian Penal Code read with Section 6 of
POCSO Act.

And

In the matter of : Naren Roy

.....Petitioner.

Mr. Arunava Paul

.....for the Petitioner.

Mr. Kallol Acharjee
Mr. Biswarup Roy

....for the State.

Earlier by an order dated 27.09.2024 in CRM
(DB) 478 of 2024 a Division Bench of this Hon'ble Court
was pleased to direct the learned Trial Court to fix
consecutive dates of trial so that the trial is disposed of as
expeditiously as possible. The said order is reflected in the
order sheets of the Trial Court also. However, as submitted
by the petitioner and accepted by the State no witness till
date has been examined. The petitioner is in custody since
07.08.2023 when he was arrested in connection with
Naxalbari PS Case No. 175 of 2023.

Having considered the period of detention of the petitioner and the fact that no witness till date has been examined, I am of the view that the benefit of Article 21 of the Constitution of India may be extended to the present petitioner.

Accordingly, the prayer for bail of the petitioner is allowed.

Petitioner shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand only) with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Special Court. The local surety in this case must be of a person who would furnish title deed of a property for appearing as a surety and the property should be situated within the jurisdiction of the learned Special Court, Siliguri.

The petitioner shall stay outside the jurisdiction of Naxalbari Police Station but within the jurisdiction of the Sub-Division of Siliguri and would inform the address where he would be staying to the learned Special Court as well as the Inspector-in-Charge/Officer-in-Charge of Naxalbari Police Station.

The petitioner shall meet with the Inspector-in-Charge of Naxalbari Police Station once in a week till the same is waived or relaxed by the learned Special Court. For the limited purpose of meeting the Inspector-in-Charge/Officer-in-Charge, Naxalbari Police Station the

petitioner may be allowed to enter the said jurisdiction. The petitioner shall make himself physically available on each and every date fixed by the learned Trial Court and shall not hinder the progress of the trial of the case.

With the aforesaid observations CRM (M) 116 of 2025 is allowed.

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

(Tirthankar Ghosh, J.)