

17.06.2025
Item no. 22.
Court No.2.
Rakib

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

CRM (R) 32 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 New Mathabhanga Police Station Case No. 718 of 2022 dated 15.12.2022 under Sections 363/367/34 of the Indian Penal Code, 1860 read with Sections 6 and 17 of the Protection of Children from Sexual Offences Act, 2012.

And

In the matter of : Noor Hossain @ Nur Hossain @ Noor Islam

.....Petitioner.

Ms. Suman Sehanabis (Mondal),
Ms. Anwesh Chakraborty.
.....for the Petitioner.

Mr. Tapan Bhattacharjee,
Mr. Kallol Nag
.....for the State.

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

Report submitted by the State be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 54 days and the petitioner is innocent of the charges. It has been also submitted that pursuant to the direction passed during the course of anticipatory bail the mobile set was handed over to the Investigating Officer of the case but nothing incriminating could be retrieved.

Learned advocate appearing for the State has produced the Case Diary including the statement of the victim under Section 164 of the Code of Criminal Procedure.

I find that the petitioner's anticipatory bail was rejected on September, 2023 and the petitioner has appeared before the Court very recently.

Having regard to the nature of the accusation, the gravity of the offence and the delay which has occasioned, I am not inclined to release the petitioner on bail. As such the prayer for bail of the petitioner being CRM (R) 32 of 2025 is dismissed.

Petitioner would be at liberty to renew the prayer after the evidence of the victim is over.

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

(Tirthankar Ghosh, J.)