

16.06.2025
Item no. 10.
Court No.2.
Rakib

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

CRM (M) 132 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. 74 of 2025 Dated 14.03.2025 under Section 6 of the POCSO Act, 2012.

And

In the matter of : Gopal Sarkar.

.....Petitioner.

Mr. Biswarup Roy.

.....for the Petitioner.

Mr. Ujjwal Luksom,

Ms. Namrata Das.

.....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is innocent of the charges and has been falsely implicated in connection with the instant case. It has also been submitted that on an assessment of the materials collected by the investigating agency, prima facie, the petitioner's complicity in the instant case is questionable. In spite of the same, he has been languishing for a considerable period of time.

On the other hand learned advocate appearing for the State opposes the prayer for bail and submits that the victim is aged about 6 years. There are statements of the victim as well

as the parents which have been recorded before the learned Judicial Magistrate. Medical examination of the victim has also been done, although, there was a delay of one day in lodging the complaint.

Having regard to the stage of the case, I direct the petitioner to renew his prayer for bail after the evidence of the victim is completed. Learned Magistrate would ensure and comply with the provisions of Section 35 of the POCSO Act and take steps so that the evidence of the victim is completed at the earliest.

At this stage the prayer for bail is rejected.

Accordingly, CRM (M) 132 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.)