

19.06.2025
Serial no. 57
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (M) 134 of 2025

In re : An Application for **Bail** under Section **483** of the BNSS, 2023/439 Cr.P.C. in connection with **POCSO Case NO 03 of 2024 arising out of Mathabhanga P.S. Case No. 01 of 2024 dated 03.01.2024 under sections 04 of the POCSO Act, 2012 read with Sections 341/323/326/307 of the IPC.**

-And-

In the matter of : Goljar Hosen Mia @ Goljar Hossain @ Golejar Hossain @ Goljar Miah

... Petitioner(s)

Mr. A. Ghosh
Ms. A. Rakshit
Ms. Sudipta Ghosh

... for the petitioner(s)

Mr. Kallol ACharjee
Mr. Tapan Bhattacharjee
Ms. Sukanya Adhikary

... for the State

Report so submitted be kept with the record.

Learned advocate for the petitioner is aggrieved by the fact that the petitioner is in custody for more than 526 days, yet, the case has not progressed and only three witnesses have been examined till date. On the basis of which, the learned advocate submits that the petitioner should be released on bail.

Learned advocate for the State opposes the prayer for bail and produced the Case Diary. The evidence of P.W.1, P.W.2 and P.W. 3 has been placed before the Court.

I have checked the examination-in-chief and cross-examination of the three witnesses presented by the prosecution and I find the plea taken by the petitioner that since 2018 the victim along with her mother have been residing separately is not acceptable and no specific answer has come out in the cross-examination, *rather*, it has come out that once in the year 2018 the mother left home, thereafter, one year prior to Panchayat Election, she returned.

Having considered the same as also the fact that earlier bail application of the petitioner has been rejected particularly considering the same evidence, I am of the view that, at this stage, the prayer for bail of the petitioner cannot be granted.

Accordingly, the prayer for bail of the petitioner is **Rejected.**

However, the learned trial court is directed to expedite the process of trial and take steps so that evidence of all the prosecution witnesses is completed within a year from date.

Accordingly, CRM(M) 134 of 2025 is dismissed.

Pending application(s), if any, is also disposed of.

The learned Registrar, High Court, Circuit Bench at Jalpaiguri is directed to communicate this order to the learned Special Court.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)