

04.09.2025
Sl. no. 63
Ct. No. 03
KAUSHIK
REJECTED

IN THE CIRCUIT BENCH CALCUTTA HIGH COURT
AT JALPAIGURI

C.R.M. (M) 171 OF 2025

In re : An application for bail under Section 483 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Lava** Police Station Case No. **22** of **2023** dated **18.06.2023** under Sections 342/365/366A/376AB of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

and

In the matter of : Tokney Bajay @ Nar Bahadur Mukhia.
... petitioner

Mr. Arnab Saha
Md. Shoaib Akhtar.

.....for the Petitioner.

Mr. Niloy Chakraborty
Mr. Sagnik Sankar Sikdar
... for the State

Present petition has been filed for regular bail.

Learned counsel for the petitioner submits that the petitioner is 72 years of age and medically it was not possible to have committed penetrative sexual assault.

This contention of the petitioner is noted only to be rejected. Earlier bail application was rejected on 13th May, 2024. There is no change in circumstance. The offence alleged against the petitioner is heinous. The Court does not consider it to be a fit case for granting bail to the petitioner.

Taking into account the facts and circumstances of this case, the petitioner is not entitled to grant bail at this stage.

The application for bail is, thus, rejected.

The learned Trial Court is directed to expedite the trial in view of the age of the petitioner.

Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)