

03.09.2025
Sl. no. 60
Ct. No. 03
KAUSHIK
REJECTED

IN THE CIRCUIT BENCH CALCUTTA HIGH COURT
AT JALPAIGURI

C.R.M. (M) 247 OF 2025

In re : An application for bail under Section 483 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Dinhata Women** Police Station Case No. **99** of **2024** dated **25.08.2024** under Sections 6/17 of the Protection of Children from Sexual Offences Act, 2012.

and

In the matter of : Suman Barman @ Sumanta Barman.
... petitioner

Mr. Sandip Guha Roy.
.....for the Petitioner.

Mr. Aditi Shankar Chakraborty, learned APP
Mr. Biswarup Roy
... for the State

Present petition has been filed for regular bail.

Learned counsel for the petitioner submits that Section 6 of the Protection of Children from Sexual Offences Act, 2012 (POCSO) has not made out. Learned counsel further submits that petitioner is in custody for more than one year. Learned counsel further submits that the statement of the victim has already recorded.

Learned counsel for the state has opposed the bail application on the ground that the victim is the daughter of the petitioner against whom there are serious allegations of sexual assault.

The Court has gone through the case diary. It contains the statement of the victim recorded by medical officer dated 26th August, 2024 whether Section 6 of POCSO Act is made out or not is a matter of fact. The Court at this stage cannot meticulously appreciate the evidence. It is also to be noted that the petitioner is a father of the victim.

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.

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.)