

03.02.2026
Serial no. 29
[G.S.D]

CRM (M) 104 of 2026

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **Sagarpara Police Station Case No. 440 of 2024 dated 05.11.2024 u/s 69/70(1)/79/351(3)/3(5) of the BNS, 2023 and 6 POCSO Act.**

-And-

In the matter of : Kamrujjaman Sarkar

... Petitioner(s)

Ms. Shabana Hasin
Ms. Samima Akter

... for the Petitioner(s)

Ms. Subhasree Patel
Mr. Dipankar Paramanick

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for 133 days and is innocent of the charges.

Learned advocate for the State draws the attention of the court to the Statement of the victim under Section 183 of the BNSS as well as statement of the other accused.

Having considered that the provisions of the POCSO Act is attracted in the present case, I am not inclined to enlarge the petitioner on bail at this stage.

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

However, the petitioner would be at liberty to renew his prayer for bail after the evidence of the victim is over.

Accordingly, CRM(M) 104 of 2026 is **dismissed.**

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

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.)