

07.04.2026
Court No.35.
D/L.29.
Rakib
(Rejected)

CRM (M) 262 of 2026

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 Gazole Police Station case no. 761 of 2025 dated 02.08.2025 under Sections 85/1063/115(2)/137(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 6/17 of the POCSO Act and Sections 9/10/11 of the Prohibition of Child Marriage Act.

And

In the matter of : XXXA.

.....Petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

.....for the Petitioner.

Mr. Binoy Kumar Panda
Mr. Soukteya Ganguly

.....for the State.

Mr. Dr. Siddhartha Goswami
Ms. Upasana Shaw
Mr. Soumyadeep Das

.....for the De-facto complainant.

Learned advocate appearing for the petitioner submits that petitioner is in custody for about eight months and is innocent of the charges, as such he may be released on bail.

Learned advocate for the State opposes the prayer for bail and draws the attention of the Court to the statement of the witnesses including that of the doctor as well as the post-mortem report.

Learned advocate for the de-facto complainant also opposes the prayer for bail.

Having regard to the gravity of the offence, at this stage I am not inclined to release the petitioner on bail as charges are yet to be framed.

Petitioner would be at liberty to approach this Court after the evidence of vulnerable witnesses are over.

Learned trial Court would put in efforts so that the vulnerable witnesses are examined within a period of six months from the date of consideration of charges.

At this stage, CRM (M) 262 of 2026 is **dismissed**.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)