

D/L20
07.04.2026

Bpg.
Allowed

C.R.M. (M) 142 of 2026

In Re: An application for Bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Haripal Police Station Case No.397 of 2023 dated 16.09.2023 under Sections 376(2)(1)/376(3) of the Indian Penal Code and under Section 6(1) of Protection of Children from Sexual Offences Act, 2012 along with Sections 25(1B)(a)/27 of the Arms Act;

Ashoke Shaw @ Ashok Shaw
Versus
The State of West Bengal & Anr.

Mr. Suman Chakraborty
Ms. Monisha Joshi.
...for the petitioner.

Mr. Prasun Kumar Datta
Mr. Mujibar Ali Naskar.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 2 years 6 months and till date out 16 witnesses only 4 witnesses have not been completely examined.

I have taken into account the evidence of the victim as produced by the learned advocate appearing for the State who opposes the prayer for bail.

Having regard to the period of detention of the present petitioner and the evidence till date which has surfaced, I am of the view that further detention of the present petitioner is unwarranted in the facts and circumstances of the case.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Ashoke Shaw @ Ashok Shaw shall

be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Additional Sessions Judge, Chandernagore, Hooghly-cum-learned Judge, POCSO Court, Chandernagore, Hooghly. If on bail, the petitioner shall be physically present on each and every date fixed before the learned trial court and shall not leave the district of Hooghly without prior permission of the learned trial court. Additionally, the petitioner will not enter the jurisdiction of Haripal Police Station till the evidence of vulnerable witnesses are over. Learned special court would exercise its discretion for granting permission to the petitioner as and when the learned trial court deems fit and proper.

Accordingly, CRM(M) 142 of 2026 is allowed.

Report submitted by the State be kept with the record.

All parties shall act on the server copy of this order duly 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 of all requisite formalities.

(Tirthankar Ghosh, J.)