

16.02.2026
Serial no. 24
[G.S.D]

CRM (M) 148 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 ST No. 2(9)/2017, SC NO. 168 of 2017 corresponding to SPL Case No. 161 of 2025 arising out of Bidhannagar Women PS Case No. 12 of 2015 dated 02.11.2015 u/s 366A/372/376(2)(g)/120b of the IPC.
-And-

In the matter of : Sankar Mondal

	... Petitioner(s)
Mr. Angshuman Chakraborty	
Mr. S. S. Saha	
	... for the Petitioner(s)
Mr. Rudradipta Nandy	
Ms. Rajnandini Das	
	... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for more than ten years and, till date, six witnesses have been examined. According to the learned advocate, there is no possibility of the trial concluding, as, at a later stage, the court decided to frame charges under the provisions of POCSO Act. However, till date, charges under the POCSO Act have not been framed. As such, the learned advocate prays for bail of the petitioner both on the merits of the case as well as under Article 21 of the Constitution of India.

Learned advocate for the State submits that charges in this case have been framed under Sections 366A/372/376D/120B/34 of the IPC.

Learned advocate has also drawn the attention of the court to the statement of the victim before the learned Magistrate.

Having considered the nature of the offence and relying upon the judgment of the Hon'ble Supreme Court reported in (2025) 7 SCC 314 [*Pinki -vs- State of Uttar Pradesh*], I am of the view that this offence is of such nature and the petitioner's complicity as has been divulged before the learned Magistrate is so heinous, the petitioner is not entitled to be enlarged on bail.

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

Accordingly, CRM(M) 148 of 2026 is **dismissed.**

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

Report submitted be kept with the record.

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.)

