

D/L21
11.02.2026

Bpg.
Rejected

C.R.M. (M) 197 of 2026

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure read with Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Nager Bazar Police Station Case No.71 of 2024 dated 19.03.2024 under Sections 120B/363A/370/370A of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3/4/5/6/7 of Immoral Traffic (Prevention) Act, 1956 and charge-sheet submitted under Sections 120B/366A/370/370A of the Indian Penal Code and 6/17 POCSO and Sections 3/4/5/6/7 ITPA Act;

Aparna Nag
Versus
The State of West Bengal & Anr.

Mr. Anjan Bhattacharya
Ms. Anita Shaw
Ms. Seema Thakur.
...for the petitioner.
Ms. Zareen N. Khan
Mr. Atif Ahmed Siddiqui.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is 71 years old suffering from kidney ailments and presently admitted at the jail hospital. She has been detained for 1 year 4 months and there is no possibility of the trial concluding in near future, as such, the petitioner may be released on bail.

Learned advocate for the State opposes the prayer for bail and submits that charges have already been framed and witness action has also commenced.

Having considered that the victim herself has before the learned Magistrate divulged such name, it is not possible for this Court at this stage to release the petitioner on bail.

So far as the medical issues are concerned, pursuant to the direction of the Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No(s). 9327 of 2025 dated 27.06.2025 (**AS ISMAIL Vs. NATIONAL INVESTIGATION AGENCY**), I direct the Superintendent of concerned correctional jail to ensure the medical treatment so far as the present petitioner is concerned. To that effect, report be sent to the trial court regarding the condition of the patient provided she is suffering from serious medical issues.

Having considered the merits of the case, I am not inclined to release the petitioner on bail.

Accordingly, the prayer for bail in CRM(M)197 of 2026 is rejected.

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.)