

26.02.2026
Serial no. 49
[G.S.D]

CRM (DB) 278 of 2025

In Re: An application for cancellation of bail under section 439(2) of the Code of Criminal Procedure, 1973/Section 483(3) of the BNSS, 2023.

In the matter of : XXX

... Petitioner(s)

Mr. Mrityunjoy Chatterjee

... for the petitioner(s)

Ms. Manisha Sharma, Jr Govt. Adv.
Mr. Sujoy Sarkar

... for the State – respondent(s)

Mr. Malay Bhattacharyya

... for the o.p. no. 2

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Learned advocate for the petitioner submits that the victim is yet to be examined and dates are being fixed for deposition of the victim. The next date has been fixed on 16th April, 2026 before the learned Special Court, Contai, Purba Medinipur.

The opposite party no.2 was granted bail on 28.11.2024 in connection with Mandermoni Coastal PS Case No. 83 of 2024. The petitioner is enjoying the order of bail since 28.11.2024 which is for a period of one year four months.

Having considered the sensitivity of the case that a minor girl of tender age was subjected to sexual assault, I am of the opinion that it would have been better for the learned Special Court to take into account the overall circumstances while granting bail particularly imposing conditions to ensure further appearance in course of the trial of the case and/or for not interfering with the day to day life of the family of the victim.

I have taken into account the deposition of the victim and I find that there are no supervening circumstance and/or situation pursuant to the bail having been granted being placed before this court.

Having considered the same, I direct that on and from 1st March, 2026 once in every ten days, the petitioner will meet with the officer deputed by the Inspector-in-charge/Officer-in-charge of Mandermoni Coastal Police Station. Such conditions would continue till the evidence of the victim is over.

However, it would be the discretion of the learned Special Court to waive such condition and/or impose any other condition(s) for ensuring future appearance of the accused/o.p. no.2 before the learned trial court.

With the aforesaid observations, CRM(DB) 278 of 2025 is disposed of.

Affidavit-in-opposition filed 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.

(Tirthankar Ghosh, J.)