

12.02.2026
Court No.35.
D/L.20.
Rakib
(Allowed)

CRM (M) 211 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 Shasan Police Station case no. 127 of 2025 dated 18.04.2025 under Sections 65(1)/351(2) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4/17 of the POCSO Act, 2012.

And

In the matter of : Md. Faruk Ali @ Md. Hannan Ali.

.....Petitioner.

Mr. Soumik Ganguli
Mr. Rakesh Mondal
Ms. Indrani Roy

.....for the Petitioner.

Mr. Binoy Kumar Panda
Mr. Sreetama Das

.....for the State.

Ms. Reshmi Khatun

.....for the de-facto complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for a period of 300 days and the evidence of the victim is over.

Learned advocate for the de-facto complainant submits that the evidence of the brother aged about 8 years is yet to be completed before the learned trial Court. It has been submitted that after the incident took place the accused person intended to influence the witnesses by money power.

Learned advocate for the State has produced the Case Diary and drawn the attention of the Court to the statement of the victim under Section 164 of the Cr.P.C. as well as the medical report. Reference has been made to the statement of the other witnesses.

I have taken into account the statement of the witnesses and the evidence of the victim which is over, I find that there is a prima facie deviation from the statement of the victim under Section 164 of the Cr.P.C. and the statement which has been made before the Medical Expert.

Having considered that the evidence of the victim is over and the petitioner is in custody for 300 days, I am of the view that on stringent conditions petitioner be released on bail. Accordingly, prayer for bail of the petitioner is **allowed**.

As such, petitioner namely, **Md. Faruk Ali @ Md. Hannan Ali** shall be released on bail upon furnishing bond of Rs. 20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000 (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Judge, Special Court under POCSO Act, Barasat, North 24 Parganas.

If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court and shall not leave the jurisdiction of district of North 24 Parganas without the prior permission of the learned Trial Court.

Additionally, petitioner shall stay outside the jurisdiction of Barasat Sub-Divisional except for the purposes of attending the Court.

Thus, the application for bail being CRM (M) No. 211 of 2026 is **allowed**.

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.)