

D/L51
27.03.2026
Bpg.
Disposed
of.

C.R.M. (M) 358 of 2026

In Re: An application for Bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023/Under Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Barasat Police Station Case No.147 of 2023 dated 26.02.2023 under Sections 376(2)(f)(3) of the Indian Penal Code, 1860, read with Section 6 of POCSO Act, 2012;

Tuhin Saha @ Bubai
Versus
The State of West Bengal & Anr.

Mr. Sagar Saha
Mr. Manojit Debnath
Ms. Nayana Mukhopadhyay.
...for the petitioner.

Ms. Trisha Rakshit.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 3 years 1 month and even after the charge-sheet has been submitted and charges framed for such a long period prosecution has been able to examine 5 witnesses out of the 17 witnesses relied upon in the charge-sheet.

Learned advocate for the State has drawn the attention of the Court to the statement of the victim under Section 164 of Cr.P.C. as well as the medico legal examination report.

Having considered the same, I am of the view that the act complained of is allegedly heinous. However, having regard to the period of detention of the petitioner, I am of the opinion that there should be a time for which an accused is asked to face custodial trial. Having regard to the period of detention already suffered, I direct the learned trial court to conclude the trial within a period of

six months. If within such period the trial is not concluded and it is found that the same is not for any fault on the part of the accused, the learned trial court will release the petitioner on bail on such terms and conditions as he deems fit and proper for future appearance before the learned trial court.

With the aforesaid observations, CRM(M)358 of 2026 is disposed of.

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.)