

27.03.2026
Serial no. 24
[G.S.D]

CRM (M) 313 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 Special Case (POCSO) No. 11 of 2025 arising out of Kanksa Police Station Case No. 81 dated 30.03.2025 u/s 65(1) of the BNS, 2023.

-And-

In the matter of : XXX

Mr. Subrata Bhattacharyya
Mr. Indranuj Datta

Ms. Z. N. Khan
Mr. Atif Ahmed Siddiqui

... Petitioner(s)

... for the Petitioner(s)

... for the State-respondent(s)

Report submitted by the State reflecting service being effected be kept with the record.

Learned advocate for the State submits that the petitioner’s application for bail was earlier rejected by a Co-ordinate Bench of this Hon’ble Court on 10.09.2025 in CRM(M) 1054 of 2025. Since then the petitioner is in custody.

Learned advocate also submits that subsequently the evidence of the two witnesses have been completed which includes the victim girl.

Learned advocate for the State opposes the prayer for bail and has drawn the attention of the court to the statement of the victim under section 183 of the BNSS.

I have taken into account the deposition of the victim before the court as well as the statement under section 164 of the Cr.P.C./183 of the BNSS.

Having considered that before the learned trial court the petitioner was not named by the victim but the allegations were specifically against another person who is in custody, I am of the opinion that the petitioner may be released on bail.

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

Accordingly, the petitioner viz, XXX 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 Special Court under POCSO Act- Additional District & Sessions Judge, 1st Court, Durgapur, District Paschim Bardhaman.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned trial court and shall not leave the district of Paschim Bardhaman without prior intimation to the learned Special court.

Accordingly, CRM(M) 313 of 2026 is **allowed.**

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

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.)