

25.03.2026
Serial no. 50
[G.S.D]

CRM (M) 273 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 POCSO Case No. 85 of 2017 arising out of Murshidabad Police Station Case No. 282 of 2017 dt. 02.06.2017 and Charge-sheet no. 126 of 2018 dt. 09.03.2018 u/s 5(g)(h)/6 of the POCSO Act, 2012 and Sections 363/366/34 of the IPC, 1860.
-And-

In the matter of : XXX & Anr.

... Petitioner(s)

Mr. Achyut Basu
Md. Jamaluddin Ahmed
Ms. Punam Basu
Mr. Srikumar Chakraborty
Mr. Amritansu Sengupta
Ms. Sulagna Sen

... for the Petitioner(s)

Md. Anwar Hossain
Mr. Amanul Islam

... for the State-respondent(s)

Mr. Amit Roy

... for the defacto-complainant(s)

Learned advocate for the petitioners submits that the petitioners are in custody for 118 days and because of the miscommunication, they could not appear before the court while on bail.

State has submitted a report which reflects that the petitioner no.1 surrendered on 23.04.2018 and was granted bail on 06.07.2018 and the petitioner no.2 surrendered on 30.08.2018 and was granted bail on 18.09.2018.

State also submits that seven witnesses have been examined out of the 21 witnesses cited in the charge-sheet.

Having considered that the petitioners are in custody for about four months and trial has already been delayed, I am of the view that no purpose would be served by keeping the petitioners in custody.

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

Accordingly, the petitioners viz, **XXX & Anr.** shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) **each**, 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, Lalbagh, Murshidabad.

It is reiterated that the local surety in this case would be of a person who would submit title deed of his/her property by way of bond before the learned jurisdictional court concerned.

If on bail, the petitioners shall also make themselves physically available on each and every date so fixed by the learned trial court and shall not leave the district of Murshidabad without prior permission of the learned Special Court.

Accordingly, CRM(M) 273 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.)