

19.02.2026

Item No.41

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 294 of 2026

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Ashoknagar Police Station Case No. 02 of 2024 dated 01.01.2024 under Section 376AB of the Indian Penal Code and under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Dipak Das**

... Petitioner.

Mr. Satadru Lahiri,
Mr. Manojit Debnath

... For the Petitioner.

Ms. Baishali Basu,
Ms. Kanchan Roy

... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than 2 years 1 month and the evidence of the parents of the victim is over. Petitioner claims to be aged 78 years.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that earlier the application for bail of the present petitioner was rejected. Attention of the Court has been drawn to the statement of the mother of the victim recorded under Section 164 of the Code of Criminal Procedure as well as the medico-legal certificate issued by the concerned doctor.

I have taken into account the overall circumstances and the relationship between the family of the victim and that of the present petitioner. Petitioner is a landlord and the family of the victim is a tenant. I have also taken into account the medico-legal examination report prepared, the period of detention of the present petitioner and the fact that evidence of vital witnesses is over. Having considered the same, I am of the view that further detention of the present petitioner in connection with the instant case is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Dipak Das** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the POCSO Act, Barasat, North 24-Parganas.

If on bail, the petitioner shall not enter the jurisdiction of Ashoknagar Police Station.

The petitioner shall also be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of the district of North 24-Parganas without prior permission of the learned Special Court.

The application for bail, being CRM (M) 294 of 2026, is, thus, disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)