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01.04.2026
Bpg.
Disposed
of.

C.R.M. (M) 326 of 2026

In Re: An application for bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliachak Police Station Case No.556 of 2025 dated 08.04.2025 under Sections 126(2) and 351(2) of the Bharatiya Nyaya Sanhita and under Sections 6, 8 and 12 of the Protection of Children from Sexual Offences Act and under Sections 363, 365 of the Indian Penal Code;

Tarik Sk @ Tarik Ajj
Versus
The State of West Bengal & Anr.

Mr. Sagar Saha
Ms. Nayana Mukhopadhyay
Mr. Manjeet Saha.
...for the petitioner.
Mr. Prasun Kumar Datta
Mr. Ashok Das.
...for the State.
Mr. Siddhartha Goswami.
...for the de facto complainant.

The police authorities have submitted charge-sheet, charges have been framed and the examination of the victim is in progress before the learned trial court. Learned advocate for the petitioner submits that there were earlier cases wherein the materials which were relied upon were diametrically opposite to the evidence which has surfaced in the present case and the victim is delaying whole of the process of trial. As such, learned advocate prays for bail.

Learned advocate for the State opposes the prayer for bail and draws the attention of the Court to the statement of the victim under Section 183 of the BNSS.

Learned advocate for the de facto complainant submits

that the petitioner is still threatening and there are phone calls which have been rooted presumably from the jail. The police authorities have been informed and they are taking steps as has been submitted by the learned advocate for the State.

I have taken into account the materials appearing in the case diary for the present. If the forensic report is not submitted before the learned trial court and the evidence of the victim is concluded, then in that case, the learned trial court would release the petitioner on bail after the evidence of the victim is concluded.

It has been informed that the next date which has been fixed is on 5th May, 2026.

Learned trial court would continue with the evidence of the victim and within a fortnight from the date already fixed try to complete the evidence of the victim.

At this stage, I am not inclined to release the petitioner on bail. However, the learned trial court would adhere to the directions passed above and proceed accordingly.

Thus, CRM(M)326 of 2026 is disposed of.

State is directed to communicate this order to the learned trial court for taking appropriate action.

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.)

