

30.03.2026

Item No.101

Ct.No.35

(susanta)

Dismissed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 518 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 **Bamongola** Police Station Case No. **170** of **2016** dated **15.09.2016** under Sections 4/6 of POCSO Act.

And

In Re : **XXX**

... Petitioner.

Mr. Kazi M. Rahman,

... For the Petitioner.

Ms. S. Afrin,

Mr. A Mukherjee,

... For the State.

Petitioner was initially released on bail in the year 2017 thereafter he stopped coming to Court from 2018 onwards. Warrant of arrest was issued against him in the year 2021 and he surrendered and was released on bail thereafter again on and from 26.04.2024 he started absenting from Court pursuant to which warrant of arrest was issued and he was taken into custody. The petitioner is in custody for 155 days.

Having considered the hole of the trial has been jeopardized for more than nine and half years at the behest of the present petitioner, I am not inclined to release the petitioner on bail.

Learned trial court would take steps to conclude the trial within the next six months and to that effect a Nodal

Officer be appointed by the Superintendent of Police, Malda, who would monitor for ensuring the presence of the witnesses on the date fixed by the learned Special Court. With the aforesaid observation the C.R.M. (M) 518 of 2026, is, thus, dismissed.

The Registrar General, High Court Calcutta will communicate this order to the Superintendent of Police, Malda.

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.)