

31.03.2026

Item No.70

Ct.No.35

dc.

Allowed

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

C.R.M. (M) 539 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Krishnagar Women Police Station Case No. 116 of 2025 dated 10.10.2025 under Sections 329(4)/324(4)/232/351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 6/17 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Tarak Sen and another**

... Petitioners.

Mr. Prabir Majumder

... For the Petitioners.

Mr. Prasun Kumar Dutta,
Mr. Mujibar Ali Naskar

... For the State.

Mr. Sumanta Das

... For the *de facto* complainant.

Report submitted by the learned advocate appearing for the State along with the acknowledgement of the private opposite party no.2/*de facto* complainant be kept with the record.

Learned advocate appearing for the petitioners submits that the petitioners are in custody since 04.12.2025 and the genesis of the present case is on the basis of certain distorted facts as there was a dispute existing between the people of the locality and the family of the *de facto* complainant over parking of cars and Toto.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and draws the attention of

the Court to the statements of the grandmother of the victim and the victim recorded under Section 183 of the BNSS. There are statements of the local witnesses which are also appearing in the case diary.

Learned advocate appearing for the *de facto* complainant opposes the prayer for bail because of the act and activities of the present petitioners.

I have taken into account the totality of the circumstances existing and the issue relating to previous grudge against each other. Having regard to the same, I am of the opinion that further detention of the present petitioners in connection with the instant case is unwarranted. As such, the prayer for bail of the petitioners is **allowed**.

Accordingly, the petitioners viz., 1. **Tarak Sen** and 2. **Tapas Sen** shall be released on bail upon furnishing bond of Rs.20,000/- each, 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, Krishnagar, Nadia.

If on bail, the petitioners shall not enter the jurisdiction of Krishnagar Women Police Station till the evidence of the victim and the family members of the *de facto* complainant is over.

The petitioners shall not leave the jurisdiction of the district of Nadia without prior permission of the learned Special Court and inform their address where they would be

residing to the learned Special Court as well as the Officer-in-Charge, Krishnagar Women Police Station.

The application for bail, being CRM (M) 539 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.)