

16.04.2026

Item No.29

Ct.No.35

dc.

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

C.R.M. (M) 545 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 Gazole Police Station Case No. 458 of 2020 dated 09.10.2020 under Section 376 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **XXXXXXX Vs. The State of West Bengal & Anr.**

Ms. Minoti Gomes

... For the Petitioner.

Ms. Sreyashee Biswas,
Mr. Md. Yaser A. Ismail

... For the State.

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 petitioner submits that the petitioner was arrested on 10.10.2020 and since then he is in custody for more than 5 years 6 months. Till date, only four witnesses have been examined, out of 12 witnesses cited by the prosecution in the charge-sheet.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that evidence of the victim is over.

Having considered the medical evidence in support of the prosecution case and the age of the victim at the relevant

point of time when the offence took place and also the age and relationship of the present petitioner with that of the victim, I am inclined to grant one more opportunity to the prosecution. Accordingly, the prosecution would complete evidence of rest of the eight witnesses within a period of six months from the next date fixed. If within the aforesaid period, the evidence is not concluded, the learned Trial Court will release the petitioner on bail on such terms and conditions as it deems fit and proper for ensuring future appearance of the petitioner before the Trial Court.

Registrar General, High Court, Calcutta will communicate this order to the Trial Court for taking steps in accordance with the directions passed hereinabove.

With the aforesaid observations, the application for bail, being CRM (M) 545 of 2026, is 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.)