

27.04.2026.
Sl. No.118
Ct. No. 35
tkm
[Rejected]

C.R.M. (M) 619 of 2026

In Re: An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in Special POCSO Case No. 31 of 2024 arising out of Burtolla Police Station Case No. 174/24 dated 11.11.2024 under Section 65(2) of BNS read with Section 6 of POCSO Act.

And

In Re : **Md Shahnawaz.**

... Petitioner.

Mr. Aniruddha Bhattacharyya,
Ms. Anushka Bose,
Ms. Rai Das.

...for the petitioner.

Mr. Pravash Bhattacharyya,
Ms. Debadrita Mondal.

...for the State.

Mr. Dipankar Dandapath

... for the de facto complainant

1. Report submitted by the State be kept with the record.
2. Learned counsel for the petitioner submits that the petitioner is in custody for 1 year 5 months and out of 15 witnesses proposed to be examined by the prosecution, till date only 5 witnesses have been examined. As the victim has already been examined and the vulnerable witnesses are over, petitioner may be released on bail.
3. Learned counsel for the State produced case diary as well as the evidence of the victim.
4. Learned counsel for the de facto complainant is present.

5. I have taken into account the present state of circumstances which portrays that the petitioner is a driver of a school bus, aged about 32 years, inserted his private part in the mouth of a child 6 years of age. The correctness of the same would obviously be subject to trial.

6. Having regard to the evidence of the child victim, I am not inclined to release the petitioner on bail.

7. Accordingly, CRM(M) 619 of 2026 is rejected.

8. Learned trial Court would fix regular schedule once in a month and ensure that the witnesses are examined and not send back on the date fixed. No adjournment be granted for deferment of cross-examination. Efforts be exerted to take the trial to its logical conclusion by 31st December, 2026.

9. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

10. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)