

20.05.2026

Item No.48  
Ct.No.35  
dc.

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

**C.R.M. (M) 659 of 2026**

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973/Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Madhyamgram Police Station Case No. 245 of 2022 dated 17.05.2022 under Sections 376AB/376(2)(n)/506 of the Indian Penal Code, 1860 read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

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

Mr. Ali Ahsan Alamgir,  
Ms. Soma Mal,  
Ms. Rabia Khatoon,  
Ms. June Modak

... For the Petitioner.

Mr. Sagar Saha

... For the State.

Mr. Abhinav Rakshit

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for four years and till date, examination of the witnesses has not been completed. As such, petitioner may be granted bail for non-compliance of Article 21 of the Constitution of India.

Mr. Saha, learned advocate appearing for the State opposes the prayer for bail and submits that evidence of all the witnesses have been completed, but it was found that two witnesses were missed by the learned Public Prosecutor. As such, application was filed under Section 311 of the Code of Criminal Procedure. Two witnesses have been recalled pursuant to the application being allowed. The said

witnesses are formal witnesses viz. Partha Dutta, Scribe and Pinki Ghosh, Lady Sub-Inspector.

Having regard to the fact that the offences complained of were under Sections 376AB/376(2)(n) of the Indian Penal Code along with Section 6 of the Protection of Children from Sexual Offences Act, I am of the opinion that as the prosecution has sought for some time to complete the examination of the witnesses and the witnesses who have been cited will not consume much time in course of their evidence, I direct the learned Trial Court to complete the examination of such witnesses by 25.06.2026; examination under Section 313 of the Code of Criminal Procedure be completed by 31.07.2026 and in case, the defence do not adduce any evidence, pronounce the verdict by 31.08.2026.

In case the time, stated above, cannot be adhered to because of other reasons and complete cooperation is extended by the accused/petitioner, I direct that under those circumstances, the petitioner, after 31.08.2026, be released on bail by the learned Trial Court.

With the aforesaid observations, the application for bail, being CRM (M) 659 of 2026, is disposed of.

Report dated 20.05.2026 submitted by the learned advocate appearing for the State be kept with the record.

The Investigating Officer of the case is present in Court. His further appearance before this Court is dispensed with.

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.)**