

12.06.2026

Court No.35.

D/L. 2.

Kausik

(Allowed)

CRM (M) 692 of 2026

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with English Bazar
Women Police Station Case No. 192/2021 dated 01.10.2021
under Section 448 of the Indian Penal Code, 1860 read with
Section 4 of the POCSO Act, 2012.

And

In the matter of : XXXX

.....Petitioner.

Mr. Avinaba Patra

.....for the Petitioner.

Mr. Sagar Saha

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioner is in custody for 4 years and 7 months and till
date only 3 witnesses have been examined out of the 16
witnesses cited by the prosecution.

In view of the delay in trial, a report was called for again
by an earlier order dated 08.06.2026. Report reflects that in the
years 2023, 2024, 2025 each year one witness has been
examined. The report do not portray a picture as to when the
trial will be concluded. The accusations are serious but that
calls for a much more sincerity from the prosecution.

Having considered the report which has been submitted
by the Investigating Officer of the case, I am of the opinion that

without entering into the merits of the case, only on the ground of delay, the petitioner be released on bail.

Accordingly, prayer for bail of the petitioner is allowed.

Accordingly, Petitioner shall furnish bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each, one of whom must be local to the satisfaction of Learned Civil Judge, POCSO Court, Malda.

If on bail, the petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not leave the jurisdiction of District of Malda without the prior permission of the learned Special Court.

The petitioner shall, for the next 6 months, meet with the Officer-in-Charge of English Bazar Police Station. Learned Trial Court is directed to continue such condition till the evidence of the vulnerable witnesses are over. All efforts be exerted to conclude the trial at the earliest.

With the aforesaid observations CRM (M) 692 of 2026 is **allowed.**

Report submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order 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.)