

20.04.2026

Item No.210

Ct.No.35

dc.

Rejected

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

**C.R.M. (M) 799 of 2026**

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with Liluah Police Station Case No. 211 of 2024 dated 22.04.2024 under Sections 363/365 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Suraj Paswan**

... Petitioner.

Mr. Mrityunjoy Chatterjee,  
Mr. Debarnab Adhikary

... For the Petitioner.

Ms. Faria Hossain, APP,  
Ms. Sujata Das

... For the State.

Mr. Pradyat Saha,  
Ms. Shreyosi Chakraborty

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the victim was able to understand the consequences and as such she had fled away with the petitioner.

Learned advocate appearing for the *de facto* complainant submits that there has been change of circumstances.

Learned advocate appearing for the State also opposes the prayer for bail and produces the case diary.

I have perused the statement under Section 183 of BNSS. Having considered that the consent of a minor is no consent in the eye of law, I am not inclined to release the

petitioner on bail. As such, at this stage, the prayer for bail of the petitioner is **rejected**.

However, if there is change of circumstances, the petitioner as well as the *de facto* complainant will bring the same to the notice of the learned Special Court. Learned Special Court would record the evidence of the victim and thereafter take a decision as to whether there has been change of circumstances and consequent to which, if any application for bail is filed before the learned Special Court, learned Special Court will leniently consider the prayer for bail of the petitioner.

The application for bail, being CRM (M) 799 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.)**