

**18.06.2026**

Court No.35.

D/L. 82.

Kausik

**(Rejected)**

**CRM (M) 813 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 Baranagar Police Station Case No. 246 of 2025 dated 17.07.2025 under Sections 126(2), 127(2), 143, 144, 95, 96, 98, 61(2), 64 & 3(5) of the BNS, 2023 read with Sections 3, 4, 5, 6 & 7 of the Immoral Traffic (Prevention) Act, 1956 and 4 & 17 of the POCSO Act, 2012.

And

**In the matter of : Gopi Hari**

**.....Petitioner.**

Mr. Siddhartha Sarkar

Mr. Sourav Gupta

.....for the Petitioner.

Ms. Jhuma Sen

Ms. Swastika Chatterjee

Mr. Samsul Laskar

.....for the Victims.

Mr. Kalidas Saha

Ms. Anushka Ghosh

.....for the State.

Learned advocate appearing for the petitioner submits that initially petitioner was not named by the victim girls when their statements were recorded on or about July, 2025. Subsequently, the statement of the victim girls under Section 164 of the Cr.P.C. also do not reveal the name of the present petitioner. But again statements of the victim girls were recorded in the month of August, 2025 when the petitioner's name surfaced.

Learned advocate submits that the implication of the petitioner is an afterthought and the Investigating Authorities have falsely implicated the present petitioner.

Learned advocate for the defacto-complainant submits that petitioner was initially named as 'Anil' and subsequently on different pictures being shown, identified the individual who has been found to be the present petitioner.

Learned advocate for the State submits that from the inception, the minor victims stated regarding the complicity of the present petitioner but the description of the individual was in a different manner and one of the minor victims has identified the present petitioner in T.I. parade.

I have taken into account the submissions of the learned advocates appearing for the petitioner, state and the private opposite party and perused the case diary. On perusal of the case diary I find that, all the three victim girls which included two minor victims, in course of their narration of facts before the police authorities under Section 161 of the Cr.P.C. amongst other accused persons, identified a person to be a police officer. In the subsequent statement when the photograph of the individual was shown to the victim from his social networking platform, the accused was found to be the present petitioner. The accused was also identified in the T.I. parade by one of the minor victims. The present case is not only a case under the POCSO Act but under the provisions of Immoral Traffic (Prevention) Act.

Having considered the fact that minor victims were exploited and the petitioner was involved in such exploitation, I am of the view that this is not a fit case for releasing the petitioner on bail.

Accordingly, prayer for bail of the petitioner in CRM (M) 813 of 2026 is **rejected**.

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.)**