

27.04.2026

Sl. No. DL 91
Court No. 35

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction

Case No.

CRM (R) 36 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 Belghoria Police Station case no.334 of 2025 dated 08.10.2025 under Sections 10 of the Protection of Children from Sexual Offences Act, 2012.

-AND-

In the matter of :

XXX

.....Petitioner

For the Petitioner :

Mr. Siddhartha Sarkar

...Advocate

For the State :

Mrs. Sukanya Bhattacharyya, Jr. Govt. Adv

Mr. Rajes Jana

...Advocates

1. Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than six months. He further submits that charges have already been framed before the learned Trial Court and, as such, the petitioner may be released on bail.
2. Learned advocate appearing on behalf of the State submits that witness action is about to commence and is fixed on and from 28th April, 2026.
3. Having considered the statement of the victim, I am of the opinion that the learned Trial Court will leniently consider the prayer for bail of the petitioner if her deposition in

Court during trial and her statement under Section 164 of the Code of Criminal Procedure / Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is in the same tune. However, it will not prevent the learned Trial Court to apply its discretion in case the evidence deviates from the contents which were recorded under Section 164 of the Code of Criminal Procedure / Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

4. At this stage, since the evidence of the victim is not over, I am not inclined to release the petitioner on bail.
5. Accordingly, with the above observations, **CRM(R) 36 of 2026 is disposed of.**
6. Case diary be returned to the learned advocate appearing for the State.
7. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
8. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)