

20.05.2026
Court No.35.
D/L.12.
Rakib
(Allowed)

CRA (SB) 76 of 2026

In Re: An Application under Section 14-A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 in connection with Sessions (P) Case No. 63 of 2025, arising out of CBI, SCB, Kolkata Case No. RC 0562024S0004 of 2024 dated 16.02.2024 under Sections 363/365/34/368/370/120B/376 of the Indian Penal Code and under Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Sections 4/6 of the POCSO Act and under Section 9/10 of the Protection of Child Marriage Act.

And

In the matter of : Aftab Khan @ Gera.

.....Appellant/Petitioner.

Mr. Ayan Basu
Mr. Sk. Selim
Mr. Sumit Routh

.....for the Appellant/Petitioner.

Mr. Amajit De, Special PP, CBI

.....for the CBI.

Mr. Sagar Saha

.....for the O.P. No.2/victim.

Learned advocate appearing for the appellant/petitioner submits that the appellant/petitioner is in custody for 263 days and is hardly connected with the alleged offence, although, he has been charge-sheeted. Learned advocate has referred to the evidence of the examination-in-chief of the victim and contended that there is no iota of material to suggest that the accused had been part of the conspiracy in the alleged offence. Appellant/petitioner as such prays for bail on any stringent conditions.

Mr. De, learned Special Public Prosecutor, CBI opposes the prayer for bail and draws the attention of the Court to the statement of the owner of a hotel on whom the prosecution has relied upon.

I have taken into account the period of detention, the locus of the present petitioner and the purpose for which he has been implicated as an accused.

It has been submitted by both the parties that till date 4 witnesses have been examined and 23 more witnesses are yet to be examined by the prosecution.

As such, without entering into the merits of the case but taking into consideration the locus of the present appellant/petitioner in respect of the alleged offence and the fact that some time will be consumed to complete the evidences of all the witnesses, I am inclined to release the appellant/petitioner on bail. Accordingly, the prayer for bail of the appellant/petitioner is **allowed.**

Accordingly, appellant/petitioner namely, **Aftab Khan @ Gera** shall be released on bail upon furnishing 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 the learned Judge, Exclusive (POCSO) Court, Purba Bardhaman Sadar.

If on bail, the appellant/petitioner shall be physically present on each and every date fixed by the learned Trial Court and shall not enter the jurisdiction of District of Purba Bardhaman except for the purposes for attending the Court. Appellant/petitioner, however, shall stay within the district of Paschim Bardhaman.

Additionally, appellant/petitioner shall inform his address to the Officer-in-Charge of the local police station, if required, the

Officer-in-Charge of the local police station may give a surprise visit for ascertaining the presence of the appellant/petitioner at the address furnished before the police station.

Accordingly, CRA (SB) No. 76 of 2026 is **allowed**.

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.)