

27.04.2026

Sl. No. DL 93
Court No. 35

ALLOWED

Asraf, A.R.(Ct.)

In the High Court at Calcutta
Criminal Miscellaneous Jurisdiction

Case No.

CRM (R) 41 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 Halisahar Police Station case no.168 of 2025 dated 09.05.2025 under Sections 126(2), 75 and 78 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

-AND-

In the matter of :

SAMARUL SEKH @ SAMIRUL SEKH

.....Petitioner

For the Petitioner :

Mr. Khalid Hasan

...Advocate

For the State :

Mr. Md. Adil Badr, Jr. Govt. Advocate

Mr. Sarthak Mondal

...Advocates

1. Report submitted by the State enclosing the acknowledgement of service upon the private opposite party be kept with the record.
2. Learned advocate appearing for the petitioner submits that the petitioner is in custody for more than eleven and half months and till date only chargesheet has been submitted and there has been no progress in the case.
3. Learned advocate appearing on behalf of the State opposes the prayer for bail.

4. I have taken into account the statements of the victim and the mother which were spelt out before the learned Judicial Magistrate. Having regard to the same as well as the period of detention, I am inclined to release the petitioner on bail.
5. Accordingly, the prayer for bail of the petitioner is **allowed**.
6. As such, the petitioners, namely, **Samarul Sekh @ Samirul Sekh** 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 the learned Judge, Special Court (POCSO), Barrackpore.
7. If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court in seisin of the case. The petitioner shall not leave the district of North 24 Parganas without prior permission of the concerned Court. Additionally, the petitioner shall not enter into the jurisdiction of Halisahar police station without informing the learned Trial Court as well as the Inspector-in-Charge/Officer-in-Charge of Halisahar police station.
8. Accordingly, **CRM(R) 41 of 2026** is **disposed of**.
9. Case diary be returned to the learned advocate appearing for the State.
10. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.

- 11.** Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)