

11.06.2026
Serial no. 36
[G.S.D]

CRM (M) 1155 of 2026

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with Sagarpara PS Case No. 959 of 2025 dated 17.10.2025 u/s 329(4)/115(2)/117(2)/351(2)/74/79/3(5) of the BNS, 2023 adding Section 8 of the POCSO Act.

-And-

In the matter of : Tapan Sarkar

... .. Petitioner(s)

Mr. Jaydeep Biswas
Mr. Asraf Mandal
Mr. K. Ghosh

... for the Petitioner(s)

Mr. Moyukh Mukherjee
Ms. Nayana Mukhopadhyay

... for the State-respondent(s)

Affidavit-of-service filed be kept with the record.

Inspite of service, no one appears on behalf of the defacto-complainant/private opposite party no.2/victim.

Learned advocate for the petitioner submits that the petitioner is in custody for 237 days and has been falsely implicated in connection with the instant case, as such, he may be released on bail.

Learned advocate for the State opposes the prayer for bail and produces the Case Diary.

The attention of the court has been drawn to the statement of the victim under section 183 of the BNSS.

I have taken into account the subject-matter of the case as also the period of detention of the present petitioner.

Having considered the same, I am of the opinion that further detention of the present petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Tapan Sarkar** 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, Special (POCSO) Court, Murshidabad, Berhampore.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Special Court/trial court and shall not leave the district of Murshidabad without prior intimation to the learned Special Court/trial court.

Further, the petitioner, till the evidence of the vulnerable witnesses is over, will not enter into the jurisdiction of Sagarpara police station.

Accordingly, CRM (M) 1155 of 2026 is **allowed.**

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

