

15.06.2026
Court No.35.
D/L.49.
Rakib
(Allowed)

CRM (M) 1313 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with POSCO Case No. 40/2026 arising out of Kharagpur (Town) Police Station case No. 110 of 2026 dated 19.02.2026 under Sections 64(2)(m)/351(3)/308(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act.

And

In the matter of : Binod Kumar Das.

.....Petitioner.

Mr. Soumyajit Das Mahapatra
Ms. Madhurai Sinha
Ms. Upasana Banerjee
Mr. Bisal Roy

.....for the Petitioner.

Mr. Moyukh Mukherjee
Ms. Rima Banerjee

.....for the State.

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

Learned advocate appearing for the petitioner submits that the petitioner was arrested on 19th of February, 2026 and is in custody since then, charge-sheet has already been submitted by the jurisdictional Court, however, there has been no further progress after the same. Additionally it has been submitted that even if the accusations are taken to be true, the issue relating to the petitioner having committed the offence ranges for about two years.

Mr. Mukherjee, learned advocate appearing for the State opposes the prayer for bail, draws the attention of the Court to the statement of the witnesses including that of the victim, medical reports have also been produced.

I have taken into account the overall circumstances of the case. Having regard to the period of detention of the present petitioner and the fact that witness action till date has not been commenced. Without entering into the merits of the case, I am inclined to release the petitioner on bail. Accordingly, the prayer for bail of the petitioner is **allowed**.

As such, the petitioner, namely, **Binod Kumar Das** 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 Special Court (Under POCSO Act), Paschim Medinipur.

If on bail, the petitioner shall be physically present on each and every date before the learned Special Court and shall not leave the jurisdiction of district of Paschim Medinipur without prior permission of the learned Special Court.

Further, the petitioner shall not enter into the jurisdiction of Kharagpur (Town) Police Station till the evidence of vulnerable witnesses are over.

With the aforesaid observations, CRM (M) No. 1313 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.)