

15.06.2026

Item No.53
Ct.No.35
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 1322 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 Bidhannagar Women Police Station Case No. 12 of 2015 dated 02.11.2015 under Sections 366A/372/376(2)(g)/120B of the Indian Penal Code.

And

In Re : **Sankar Mondal**

... Petitioner.

Mr. Angshuman Chakraborty,
Mr. Arindam Saha,
Mr. S. S. Saha

... For the Petitioner.

Mr. Krishnendu Bhattacharya, APP

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody since 20.10.2015 and after the evidence of some of the witnesses were recorded, it was found that offences under the POCSO Act has surfaced in evidence. As such, date has been fixed for consideration of charges. Consequently the petitioner submits that there is no possibility of trial taking to its logical conclusion. As such, petitioner may be released on bail.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that earlier the prayer for bail of the petitioner was rejected on 16.02.2026 by this Court. There has been no change of circumstances.

Having considered the period for which the petitioner is in custody, I direct the learned Trial Court to overcome the stage of consideration of charges in relation to the POCSO Act is concerned. Learned Trial Court would thereafter, if it deems fit and proper, fix a date for evidence of the victim. Let the whole process be completed within a period of three months from the date of communication of this order. Thereafter, the learned Trial Court, if it thinks that evidence of other witnesses will consume some more time, it would in the fitness of the circumstances considering the long detention of the petitioner, release the petitioner on bail after the period of three months is over.

Memo of Evidence submitted by the learned advocate appearing for the State be kept with the record.

With the aforesaid observations, the application for bail, being CRM (M) 1322 of 2026, is disposed of.

All concerned parties shall act on the server copy of this order duly 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.)