05.10.2026
Item No.65
Ct.No.35
dc.
Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 1705 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Swarupnagar Police Station Case No. 442 of 2025 dated 27.06.2025 under Sections 137(2)/140(3)/ 351(3)/126(2)/127(2)/142/64(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4/6 of the Protection of Children from Sexual Offences Act, 2012 (G.R. Case No. 3217 of 2025).

And

In Re : **Rakesh Mandal**

... Petitioner.

Mr. Satadru Lahiri

... For the Petitioner.

Mr. Kallol Mondal, Ld. PP,
Mr. Aditya Tiwary,
Mr. Kaustuv Shome,
Ms. Sharmistha Das

... For the State.

Mr. Husen Mustafi,
Ms. Suhana Parvin

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner was arrested on 12.02.2026 and is in custody for more than seven and a half months.

Learned advocate appearing for the *de facto* complainant submits that she has no objection.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and produces the case diary.

I have taken into account the statement of the victim recorded under Section 183 of the BNSS. It is reflected that at the time when the investigation commenced, the victim

was pregnant and the spirit of the statement reflects that she has no accusation so far as the petitioner is concerned. Having regard to the overall circumstances of the case including the social ramifications, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Rakesh Mandal** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the POCSO Act, Basirhat, North 24-Parganas.

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 the district of North 24-Parganas without prior permission of the learned Special Court.

Memo of Evidence submitted on behalf of the State be also kept with the record.

The observations made above are only restricted for adjudication of the bail application and should not be considered a final opinion on the merits of the case.

The application for bail, being CRM (M) 1705 of 2026, is, thus, 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.)