06.10.2026
Serial no. 71
[G.S.Das]
Assistant Registrar
(Court)

CRM (M) 1740 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 Bharatpur PS Case no. 347 of 2025 dated 23.11.2025 u/s 103(1)/137(2)/140(3)/238/61(2)/65(2) of the BNS and section 6 of the POCSO Act.

-And-

In the matter of : Khairunnesa Khatun @ Bibi

… Petitioner(s)

Mr. Kallol Kumar Basu
Md. Jannat ul Firdous
Mr. Rajsekhar Hota

… for the Petitioner(s)

Mr. Brajesh Jha, APP
Ms. Kritika Jain

… for the State-respondent(s)

Mr. Manas Kumar Das

… for the defacto-complainant(s)

Learned advocate for the petitioner submits that the petitioner is innocent and has been foisted with the criminal case with a motive of having been discovered by the child/victim in a compromised manner.

State opposes the prayer for bail and draws the attention of the court to the statement under sections 183 of the BNSS of some of the witnesses.

Learned advocate for the defacto-complainant also opposes the prayer for bail and submits that the petitioner contributed to the overt acts.

I have taken into account the materials appearing in the case diary particularly the statement of the witnesses

including the eyewitnesses who have last seen the victim in company of another accused [Miraj Sk]. However, so far as the present petitioner is concerned, she is a lady. Although, circumstantial materials are appearing against her but there are no direct evidence against her.

Having regard to the overall circumstances including the period of detention as also the fact that some time will be required to take the trial to its logical conclusion, I am inclined to release the petitioner on bail.

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

Accordingly, the petitioner viz, **Khairunnesa Khatun @ Bibi** 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, Kandi, Murshidabad.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned trial court and shall not leave the district of Murshidabad without prior permission of the learned trial court or the court *in seisin* of the case.

Accordingly, CRM (M) 1740 of 2026 is **allowed**.

Pending application(s), if any, is also disposed of.

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

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.)