09.10.2026
Court No.35.
M/L.104.
Rakib
(Allowed)

CRM (M) 2365 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 Islampur Police Station case no. 368 of 2026 dated 18.04.2026 under Section 4 of the POCSO Act, 2012 read with under Sections 126(2)/3(5)/351(2) of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Usman Ali @ Md Usman Ali

.....Petitioner.

Mr. Amit Roy
.....for the Petitioner.

Mr. Rajendra Banerjee, Ld. APP
Ms. Piyali Chatterjee
Ms. Casunia Chatterjee
.....for the State.

Learned advocate appearing for the petitioner submits that petitioner was arrested on 18.04.2026 and since then he is in custody. There was an existing relationship pursuant to which the present case has been initiated.

Learned advocate appearing for the State opposes the prayer for bail.

In spite of service none appears on behalf of the de-facto complainant.

Having considered the statement of the victim under Section 183 of the BNSS as well as the fact that victim refused to undergo medico legal examination, I am of the opinion that petitioner be

released on bail on stringent conditions. Accordingly, prayer for bail of the petitioner is **allowed.**

As such, the petitioner namely, **Usman Ali @ Md Usman Ali** 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 Court (POCSO Act), Islampur, Uttar Dinajpur.

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

Additionally, petitioner shall stay outside the jurisdiction of Islampur Police Station, except for the purposes for attending the Court proceeding, till the evidence of the vulnerable witnesses are over.

With the aforesaid observations, CRM (M) No. 2365 of 2026 is **allowed.**

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.

Report and memo of evidence submitted by the State be kept with the record.

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.)