08.10.2026
Court No.35.
M/L.94.
Rakib

CRM (M) 2312 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 Garhbeta Police Station case no. 93 of 2026 dated 24.02.2026 under Sections 85/115(2)/117(2)/91/109/351(2)351(3)/3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Sections 9/11 of the Prohibition of Child Marriage Act and Section 6 of the POCSO Act, 2012.

And

In the matter of : XXXX

.....Petitioner.

Mr. Pinak Kumar Mitra
Mr. Kaustav Talukdar
Ms. Ankita Dutta

.....for the Petitioner.

Mr. Sayak Chakrabarty
Mr. Anurag Sardar
Ms. Pritha Sinha

.....for the State.

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than seven months, charge-sheet has already been submitted and the facts have been distorted to suit the needs of the informant.

Learned advocate appearing for the State has produced the Case Diary.

I have taken into account the statement of the victim under Section 183 of the BNSS. Having considered the overall circumstances of the case, particularly the spirit of the statement which has been expressed by the victim, I am of the opinion that further custodial detention of the present petitioner is unwarranted in the facts of the case. Accordingly, prayer for bail of the petitioner is **allowed.**

As such, the petitioner 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 Additional District & Sessions Judge, 2nd Court, Paschim Medinipur, (Special Court under POCSO Act).

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 Paschim Medinipur without prior permission of the learned Special Court.

Thus, CRM (M) No. 2312 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.)