08.10.2026
Court No.35.
M/L.95.
Rakib
(Allowed)

CRM (M) 2314 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 Malda Police Station case no. 532 of 2023 dated 06.09.2023 under Sections 376AB/506 of the Indian Penal Code read with Section 6 of the POCSO Act, 2012.

And

In the matter of : Naren Ghosh

.....Petitioner.

Mr. Mrityunjay Chatterjee
Ms. Suchismita Chakraborty
Mr. Manas Das
Ms. Afsana Khan
.....for the Petitioner.

Mr. Brajesh Jha, Ld. APP
Ms. Sreshtha Ghosh
Mr. Sanjana Jha
.....for the State.

Mr. Amit Roy
.....for the de-facto complainant.

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than one year two months, charge-sheet has already been submitted, charges have been framed and two witnesses have been examined and some time will be required to take the trial to its logical conclusion. As such, petitioner may be released on bail.

Learned advocate appearing for the de-facto complainant opposes the prayer for bail.

Learned advocate appearing for the State has produced the Case Diary, the evidence of the victim as well as the statement of the victim under Section 183 of the BNSS.

Having considered the overall materials appearing in the Case Diary including the medico legal examination report, I am of the opinion that although the facts of the case do portray the green picture, however, having regard to the period of detention, I am of the opinion that petitioner may be released on bail on certain stringent conditions. Accordingly, prayer for bail of the petitioner is **allowed.**

As such, the petitioner namely, **Naren Ghosh** 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, 2nd Court, Special Judge, POCSO Court, Malda.

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 Malda without prior permission of the learned Special Court.

Additionally, petitioner shall stay outside the jurisdiction of Malda Police Station till the evidence of the prosecution witnesses are over and shall enter the jurisdiction of Malda Police Station except for the purposes for attending the Court.

Thus, CRM (M) No. 2314 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.)