09.10.2026
Serial no. 113
[G.S.Das]
Assistant Registrar
(Court)

CRM (M) 2438 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 Mahisadal PSCase No. 87 of 2026 dated 04.03.2026 u/s 137(2)/140(3) of the BNS adding sections 64(2)(m) of the BNS, section 6(1) & 8 of the POCSO Act and section 9 of the Prohibition of Child Marriage Act, 2006.

-And-

In the matter of : Subha Debnath @Subho Debnath @Suvo Debnath

… Petitioner(s)

Mr. Ranadeb Sengupta
Mr. Soumyadip Maity

… for the Petitioner(s)

Mr. Kallol Mondal, PP
Mr. Aditya Tiwari
Ms. Namrata Chatterjee

… for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody for 136 days; charge-sheet has been submitted but charges have not been framed. Learned advocate also submits that witness action is yet to commence.

Learned advocate for the State opposes the prayer for bail.

However, inspite of service, none represents on behalf of the defacto-complainant.

I have taken into account the statement under section 183 of the BNSS.

Having regard to the spirit of the statement, I am of the opinion that further custodial detention of the present petitioner is unwarranted.

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

Accordingly, the petitioner viz, **Subha Debnath @Subho Debnath @Suvo Debnath** 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, Haldia, Purba Medinipur.

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

Accordingly, CRM (M) 2438 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.

Memo of evidence and the report submitted by the State be kept with the record.

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.)