

19.01.2026

Court No.35.

D/L. 1.

Kausik

(Rejected)

CRM (M) 1848 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of Criminal Procedure, 1973 in connection with Tehatta Police Station Case No. 346 of 2025 dated 08.05.2025 under Section 137(2)/140(3)/3(5) of the BNS, 2023 read with Sections 4/6 of the POCSO Act, 2012.

And

In the matter of : Dibakar Barikdar

.....Petitioner.

Mr. Sandip Chakraborty

Mr. Amanul Islam

Mr. Sourav Mukherjee

Mr. Kaustav Das

.....for the Petitioner.

Mr. Debasish Roy, Ld. P.P.

Ms. Shaila Afrin

Mr. Asraf Mondal

.....for the State.

Learned advocate appearing for the petitioner submits that there was a relationship between the petitioner and the minor victim. Both are neighbours and consequent to which they married and subsequently on the basis of information furnished by the mother of the victim, the case was registered for investigation under the relevant sections of BNS and subsequently, provisions under the POCSO Act as well as the Child Marriage Act was added at the time of submission of the charge sheet. The medical report reflects that the girl has refused medical subsequently.

Be that as it may, the statement which has been recorded under Section 183 of the BNSS for the time being is sufficient when the charge sheet has been submitted and the evidence of the victim is not over and more than 5 months have passed, I am of the opinion that the petitioner would renew his prayer for bail after the evidence of the victim is over under Section 35 of the POCSO Act.

At this stage, prayer for bail of the petitioner in CRM (M) 1848 of 2025 is **dismissed**.

The Investigating Officer of the case is present. Her further appearance before this Court is dispensed with.

The case diary be returned to the learned advocate appearing for the State.

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.)