06.10.2026
Court No.35.
D/L. 10.
Kausik
(Allowed)

CRM (M) 2487 of 2026

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 Khanakul PS Case No. 141 of 2026 dated 27.02.2026 under sections 85/80/108/64(2)(m)/65(1) BNS and Section 4/6 POCSO and Section 9 of Prohibition of Child Marriage Act.

And

In the matter of : XXXX

.....Petitioner.

Mr. Moinuddin Mondal
Mr. Sahil Islam Mollah

.....for the Petitioner.

Ms. Minoti Gomes
Mr. Md. Hafiz Ali

....for the Defacto complainant.

Mr. Ranojoy Chatterjee
Mr. Rajesh Kumar Shah

....for the State.

Report and Memo of Evidence submitted by the State be kept with the record.

Learned advocate for the petitioner submits petitioner is the alleged mother-in-law as described in the FIR and is in custody for more than 7 months. Charge sheet has already been submitted. As such, petitioner may be released on bail.

Learned advocate for the defacto complainant opposes the prayer for bail and submits that within 6 months of

marriage the unfortunate incident took place and the petitioner's role from the inception of physical and mental torture is one of the main grounds which led the victim to commit suicide.

State opposes the prayer for bail and produces the case diary, draws the attention of the Court to the relevant statement of the witnesses.

I have taken into account the overall materials of the case as also the fact which has been brought to the notice of this Court that the principal accused is absconding. Petitioner is the mother of the principal accused. There are certain accusations against her also. However, she is in custody for more than 7 months. Charge sheet has already been submitted.

Having regard to the overall circumstances of the case, I direct that the period of incarceration do weigh in favour of the present petitioner who happens to be a lady.

Accordingly, prayer for bail of the petitioner is allowed.

As such, petitioner, namely be enlarged on bail subject to 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 Learned Judge, Special Court (POCSO Act), Arambagh, Hooghly.

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

Accordingly, CRM (M) 2487 of 2026 is **allowed**.

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.)