

05.02.2026

Item No.7

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 1984 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Palashipara Police Station Case No. 268 of 2025 dated 12.06.2025 under Sections 137(2)/140(3)/64 of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Sanowar Sk @ Sanowar Hossain Sk.**

... Petitioner.

Mr. Shibaji Kumar Das,
Mr. Amanul Islam,
Mr. Sourav Mukherjee,
Mr. Raja Das

... For the Petitioner.

Mr. Prasun Kumar Dutta, APP,
Ms. Jonaki Saha

... For the State.

Mr. Soumyajit Das Mahapatra,
Mr. Atarul Hoque Molla

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 238 days and the evidence of the victim is in progress. Learned advocate additionally submits that the medical documents do not support the prosecution case and there is difference between the statement of the victim recorded under Section 183 of the BNSS, 2023 and the medical evidence which has been relied upon in support of the case.

Learned advocate appearing for the State opposes the prayer for bail and draws the attention of the Court to the

statement of the witnesses including that of the victim as also the medical report.

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

Having considered the fact that evidence of the victim is in progress and the fact that the medical examination was conducted after sometime of the incident, only by relying upon medical evidence, the accused cannot claim any benefit at this stage. Consequently, the prayer for bail of the petitioner is **rejected**.

The application for bail, being CRM (M) 1984 of 2025, is, thus, dismissed.

All concerned parties shall act on the server copy of this order duly 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.)