

06.02.2026

Court No.35.

D/L. 55.

Kausik

(Rejected)

CRM (M) 2003 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. 475 of 2025 dated 23.06.2025 under sections
103 of the BNS, 2023 and section 4 of the POCSO Act, 2012 and
sections 10/11/12 of the Prohibition of Child Marriage Act,
2006.

And

In the matter of : XXXX

.....Petitioner.

Mr. Shibaji Kumar Das
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Deblina Dey
Mr. Raja Das

.....for the Petitioner.

Mr. Santanu Talukdar
Mr. Priyankar Ganguly
Ms. Shalini Bairagi
Ms. Pipasa Chakraborty

....for the Defacto Complainant.

Mr. Bitasok Banerjee
Ms. Rita Dutta

.....for the State.

Learned advocate appearing for the petitioner submits
that there was a relationship pursuant to which the petitioner
and the victim married. Although the victim was 14 years aged.
However, the charge sheet has been submitted under Section
107 of the BNS.

Learned advocate for the defacto complainant opposes the prayer for bail and submitted that the victim was tortured. Consequent to which the incident happened.

State has referred to the statement of the neighbours.

Having considered that within 2 months of the victim having fled away, on the confidence reposed upon the present petitioner, the fateful incident happened.

Having considered that the charges against the present petitioner are not restricted to BNS but also under the Child Marriage Restraint Act and the POCSO Act, I am of the view that this is not a fit case for granting bail.

Accordingly, the prayer for bail of the petitioner in CRM(M) 2003 of 2025 is **rejected**.

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.)