

108.
(M/L)
Court
No. 35

03.02.2026

(Tanmoy)

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM(M)/2032/2025

In Re: - An application for bail under Section 439 Cr.PC, 1973 /
Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023,
arising out of **Barasat** Police Station Case No. **177/2023** dated
08.03.2023 under Section **376(AB)** of the Indian Penal Code,
1860 read with Section **6** of POCSO Act, 2012.

And

In the matter of: - **XXXX**

Mr. Debapriya Majumder

Mr. Prasun Kr. Dutta
Mr. Tirupati Mukherjee

...petitioner.

...for the petitioner.

...for State.

Report submitted by the Inspector of Police, Barasat Police
Station, be kept on record.

Learned Counsel appearing for the petitioner submits that
the petitioner is in custody for two years and 11 months and till
date out of 18 witnesses cited by the prosecution only one
witness has been examined. He prays for bail.

Learned Advocate for the State opposes the prayer for
bail and draws attention of the Court to the statement recorded
under Section 183 of Bharatiya Nagarik Suraksha Sanhita, 2023
as well as the medical report. The evidence of the victim is over.

Having considered the period of detention of the petitioner
I am of the view that further incarceration of the petitioner is

unwarranted. The petitioner be released on bail. As such the prayer for bail of the petitioner is allowed.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand), with two sureties of Rs.10,000/- (Rupees Ten Thousand) each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under Protection of Children from Sexual Offences Act, Barasat, North 24-Parganas, subject to condition that the petitioner, if on bail, shall be physically present on each and every date so fixed by the learned Trial Court and shall not leave the jurisdiction of the district of 24-Parganas (North) without prior permission of the learned Trial Court. The petitioner shall not enter the territorial jurisdiction of Barasat Police Station, North 24-Paraganas except for the purpose of attending Court proceedings and shall furnish his current address to the learned Trial Court. The petitioner shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever.

The application for bail being CRM(M)/2032/2025 is accordingly disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Criminal Section is directed to make available urgent photostat certified copy of this order to the parties, if applied for, upon compliance with all requisite formalities.

(TIRTHANKAR GHOSH, J.)