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12.02.2026

Bpg.
Allowed

C.R.M. (M) 2015 of 2025

In Re: An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliganj Police Station Case No.311 of 2025 dated 05.04.2025 under Sections 64(2)/115(2)/117(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the Protection of Children from Sexual Offences Act, 2012;

Suraf Sk @Surap Sk
Versus
The State of West Bengal & Anr.

Mr. Prabir Majumder
Mr. S. Majumder
Mr. D. Paul.

...for the petitioner.

Mr. Sobhan Gani.

...for the State.

Mr. Subhrajyoti Ghosh.

...for the de facto complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 273 days and the accusations made against the petitioner are exaggerated for the purposes of implicating him in a false case.

Learned advocate for the de facto complainant is present. It is submitted that because of the relationship the girl conceived and at the time of such pregnancy she was assaulted consequent to which the foetus was destroyed.

Learned advocate for the State has produced the case diary and drawn the attention of the Court to the statement of different witnesses. The witnesses being some of the neighbours have deposed that the parents were involved in the marriage which illegally took place between the present petitioner and the victim. There were subsequent marital disputes for which offences under

the POCSO Act as well as the Child Marriage Act including the other offences under the Indian Penal Code/BNS have been levelled.

I have taken into account the overall circumstances and the period of detention of the present petitioner. Prima facie, offences are made out but the circumstances under which the offences have been alleged to reflect a hazy picture. As such, I am not inclined to further detain the present petitioner.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Suraf Sk @ Surap Sk shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Judge, Special Court, under POCSO Act, Krishnagar, Nadia. If on bail, the petitioner shall be physically present on each and every date before the learned trial court and shall not leave the district of Nadia without the prior permission of the learned special

Accordingly, CRM(M) 2015 of 2025 is allowed.

The investigating officer of the case is present. His further appearance before this Court is dispensed with.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)

