

04.02.2026

Item No.10

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 1987 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Dholahat Police Station Case No. 411 of 2021 dated 17.10.2021 under Sections 367/368/370 of the Indian Penal Code, 1860 and charge-sheet submitted under Sections 367/368/370/354B/372/373/376 of the Indian Penal Code, 1860 and Sections 6/8 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Manowar Hossain Halder @ Mono**
... Petitioner.

Mr. Kallol Mondal,
Mr. Supriyo Shasmal,
Mr. Souvik Das
... For the Petitioner.

Mr. Md. Adil Badr,
Mr. Asif Dewan
... For the State.

Learned advocate appearing for the petitioner submits that the petitioner's role so far as the evidence collected by the investigating agency and the evidence which has been deposited at this stage reflect a minimum complicity. The same is in the nature of Sections 201/120B of the Indian Penal Code. Petitioner is in custody for more than 4 years 3 months and seven witnesses have been examined out of the cited 25 witnesses.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and draws the attention of the Court to the evidences of the victims recorded under

Section 164 of the Code of Criminal Procedure as well as the materials which surfaced so far as the present petitioner is concerned in respect of the present accused. However, learned advocate for the State is unable to apprise this Court regarding the nature of charges framed so far as the present petitioner is concerned.

Having considered the period of detention of the petitioner and the complicity as is reflected from the statement of all the victims, I am of the view that further incarceration of the present petitioner in connection with the instant case is unwarranted as the present petitioner is differently situated from the other accused persons who have been arrested in connection with the instant case. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Manowar Hossain Halder @ Mono** shall be released on bail upon furnishing bond of Rs.20,000/-, 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-cum-Additional Sessions Judge, 1st Court, Kakdwip, South 24-Parganas.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of Dholahat Police Station without prior permission of the learned Special Court as well as the Inspector-in-Charge/Officer-in-Charge, Dholahat Police Station except for the purposes of attending the court.

The application for bail, being CRM (M) 1987 of 2025, is, thus, disposed of.

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.)