

03.02.2026

Court No.35.

M/L. 114.

Kausik

(Rejected)

CRM (M) 2049 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 Nagerbazar Police
Station Case No. 136 of 2025 dated 04.07.2025 under Sections
8/10 of the POCSO Act.

And

In the matter of : XXXX

.....Petitioner.

Mr. Debapriya Majumder

.....for the Petitioner.

Mr. Prashant Agarwal

Mr. Dhiman Banerjee

....for the OP No. 2, Defacto Complainant.

Mr. P.K. Datta, Ld. APP

Mr. Santanu Deb Roy

.....for the State.

Learned advocate appearing for the petitioner submits
that petitioner is in custody for 7 months and already charges
have been framed, as such the petitioner may be released on
bail.

Learned advocate for the defacto-complainant and the
State opposes the prayer for bail.

Attention of the Court is drawn to the statement under
Section 183 of the BNSS. Having considered the same, I am of
the view that petitioner be granted liberty to approach this
Court after the evidence of the victim is over.

Learned Trial Court would adhere to the provisions of Section 35 of the POCSO Act and take steps so that at the earliest the evidence of the victim is over.

At this stage, CRM(M) 2049 of 2025 is **dismissed**.

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.)