

D/L13
17.02.2026
Bpg.
Dismissed

C.R.M. (M) 2068 of 2025

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kaliganj Police Station Case No.537 of 2022 dated 20.08.2022 under Sections 376(2i)(3) of the Indian Penal Code, 1860 and Section 6 of the Protection of Children from Sexual Offences Act, 2012;

Phoni @ Surajit Sardar
Versus
The State of West Bengal & Anr.

Mr. Prabir Majumder.
...for the petitioner.

Mr. Karan Bapuli.
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 3 years 5 months and only 13 witnesses out of the cited 28 witnesses have been examined till date.

Learned advocate appearing for the State opposes the prayer for bail and submits that a deaf and dumb girl was subjected to sexual assault to such an extent that she became pregnant.

I have taken into account the statement under Section 164 of the Cr.P.C. as well as the medical report.

Having considered the same, I am of the view that this is not a fit case for granting bail. However, the learned Special Court under POCSO Act would ensure that 14 witnesses left out by the prosecution be completed within a period of 7 months from the date of communication of this order.

Accordingly, CRM(M)2068 of 2025 is dismissed at this stage.

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.)