

04.02.2026

Item No. M/L.135

Ct.No.35

dc.

Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 2101 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 Gazole Police Station Case No. 456 of 2023 dated 09.06.2023 under Sections 363/365/342/376(2)(n)/506 of the Indian Penal Code and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Ajit Biswas**

... Petitioner.

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick

... For the Petitioner.

Mr. Anupam Das Adhikary,
Ms. Suruchi Saha

... For the State.

Report submitted by the learned advocate appearing for the State be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 2 years 8 months and out of 14 witnesses proposed to be examined, only one witness till date has been examined.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and produces the case diary.

I have taken into account the evidence of the victim. Having regard to the fact that the petitioner is in custody for 2 years 8 months and the evidence of the victim is over and 13 more witnesses are yet to be examined, I am of the view

that there is no possibility of the trial concluding in near future. Having considered the same, I am inclined to release the petitioner on bail. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Ajit Biswas** 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 District and Sessions Judge, 2nd Court, Malda.

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 the district of Malda without prior permission of the learned Special Court.

The application for bail, being CRM (M) 2101 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.)