

06.03.2026

Court No.35.

D/L. 36.

Kausik

(Rejected)

CRM (M) 2108 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.

And

In the matter of : Kaberi Das

.....Petitioner.

Mr. Moyukh Mukherjee

Mr. Aditya Tiwari

Mr. Moyukh Majumder

....for the Petitioner.

Mr. Bibaswan Bhattacharya

Mr. Poonnug Roy

....for the Victim Girl (through CHCLSA).

Mr. Rudradipta Nandy, Ld. APP

Mr. Samarjit Balial

....for the State.

Supplementary affidavit filed by the petitioner be kept with
the record.

Petitioner claims to be a headmistress of a school who is
in custody for 2 years and 5 months.

Learned advocate for the petitioner submits that because of
stay of the proceedings granted in the Revisional Court there is no
possibility of the trial progressing, as such the petitioner may be
released on bail.

There are number of victims which has been pointed out by the State. The present is the case where one of the victims set the law into motion.

Having considered the nature of the accusations which includes the provisions not only of the IPC but also of the POCSO Act and Rights of Persons with Disabilities Act as well as Juvenile Justice (Care and Protection of Children) Act, 2015, I am of the view that, without the evidence of the victim being completed it would not be fit and proper to release the petitioner on bail as the petitioner was at the helm of affairs of the school and on the other hand there is probability of certain vulnerable witnesses associated with the case concerned.

Accordingly, at this stage, CRM(M) 2108 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.)