

04.02.2026

Item No. M/L.145

Ct.No.35

dc.

Rejected

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (M) 2118 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 English Bazar Police Station Case No. 435 of 2021 dated 08.04.2021 under Sections 363/365 of the Indian Penal Code read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Masum Sk**

... Petitioner.

Mr. Abhishek Chakraborty,
Mr. Musharraf Alam Sk.

... For the Petitioner.

Ms. Sonali Das,
Mr. Asif Dewan

... For the State.

Mr. Soumya Basu Roy Chowdhuri

... For the *de facto* complainant.

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

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 1 year 8 months and in the present case, only one witness has been examined out of 14 witnesses cited in the charge-sheet.

Learned advocate appearing for the *de facto* complainant opposes the prayer for bail.

Learned advocate appearing for the State submits that one victim has already been examined and evidence of the other victim is yet to commence.

Learned Trial Court at the earliest preferably within a period of 60 days from the date of communication of this order, fix a date for commencing the examination of the other victim girl and conclude the same within a reasonable period of time.

Learned Trial Court would, considering the period of detention, exercise his discretion leniently in favour of the petitioner for bail provided the evidence of the second victim do not reveal any sexual assault being inflicted upon her.

At this stage, the prayer for bail of the petitioner is **rejected.**

The application for bail, being CRM (M) 2118 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.)