

09.04.2026

Item No.23

Ct.No.35

dc.

Rejected

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

C.R.M. (M) 2111 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Malda Police Station Case No. 11 of 2025 dated 04.01.2025 under Section 137(2) of the Bharatiya Nyaya Sanhita, 2023 and charge-sheet submitted under Section 137(2) of the Bharatiya Nyaya Sanhita, 2023 added Sections 140(3)/351(2)/3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act.

And

In Re : **Ejaj Sk @ Ajaj Sekh @ Ijaj Sekh @ Ijaj Sk**

... Petitioner.

Mr. Apan Saha,
Mr. Anamitra Banerjee,
Mr. Musharraf Alam Sk.,
Mr. Sarfaraj Nawaj

... For the Petitioner.

Mr. Prasun Kumar Dutta,
Mr. Parvej Anam

... For the State.

Mr. Imtiaz Ahmed,
Mrs. Ghazala Firdaus,
Mr. Sk. Saidullah,
Mr. Mithun Mondal,
Mr. Md. Arsalan,
Mr. Md. Bani Israil

... For the *de facto* complainant.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 1 year 2 months and has been falsely implicated in connection with the instant case; till date, charges have not been framed and prosecution has cited 22 witnesses in support of its case. As such, petitioner prays for bail on any stringent condition as there is no possibility of the trial concluding in near future.

Learned advocate appearing for the *de facto* complainant opposes the prayer for bail and submits that the petitioner along with others committed heinous offence.

Learned advocate appearing for the State also opposes the prayer for bail and produces the case diary.

On a query from this Court, learned advocate for the State submits that because of other accused persons absconding, the case cannot proceed and charges have not been framed till date. There has been no change of circumstances since the earlier bail was rejected on 23.07.2025 in CRM (M) 893 of 2025. Learned Special Court is directed to split up the trial as early as possible and proceed with the case.

Petitioner would be at liberty to approach this Court after the evidence of the victim is over.

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

The application for bail, being CRM (M) 2111 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.)