

13.02.2026
Serial no. 25
[G.S.D]

CRM (M) 2122 of 2025

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with Mothabari Police Station Case No. 451 of 2025 dated 03.06.2025 u/s 137(2)/140(3)/351(2)/3(5) of the BNS, 2023 and Section 6 of the POCSO Act.

-And-

In the matter of : Sajan Chowdhury

	... Petitioner(s)
Mr. Amitabha Karmakar	
Mr. Arup Kumar Bhowmick	
	... for the Petitioner(s)
Ms. Subhasree Patel	
	... for the State-respondent(s)

The petitioner is in custody for about seven months and charge-sheet has already been submitted before the learned jurisdictional court.

Learned advocate for the State opposes the prayer for bail and draws the attention of the court to the statement of the victim as well as the medicolegal examination report. The medicolegal examination report reflects that the victim has refused to undergo medical examination.

I have taken into account the statement of the victim under Section 183 of the BNSS.

Having considered the period of detention of the petitioner in the background of the present case, I am of the

view that further incarceration of the present petitioner is unwarranted.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Sajan Chowdhury** shall be released on bail upon furnishing bond of Rs.20,000/-(Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court-cum-Id. Additional District Judge, 2nd Court, Special Court under POCSO Act.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Special court and shall not leave the district of Malda without prior intimation to the learned Special court.

Accordingly, CRM(M) 2122 of 2025 is **allowed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

