

29.01.2026
Court No.35.
M /L.262.
Rakib
(Rejected)

CRM (M) 2149 of 2025

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhatpara Police Station case no. 297 of 2024 dated 23.05.2024 under Sections 376D/354C/354B/341/323/506/34 of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the POCSO Act, 2012.

And

In the matter of : XYZ.

.....Petitioner.

Mr. Debasis Kar

.....for the Petitioner.

Mr. Subhamoy Bhattacharya

Mr. Sachit Talukdar

.....for the State.

Ms. Paramita Mukhopadhyay

.....for the de-facto complainant.

Affidavit-of-service filed by the petitioner be kept with the record.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for considerable period of time and there has been change of circumstances.

Learned advocate for the de-facto complainant is present and supports the submission of the learned advocate for the petitioner.

However, so far as the State is concerned the Case Diary do not reflect such change of circumstances.

In case there are change of circumstances and since it has been submitted that the examination of the victim is yet to commence, I am of the opinion that at this Stage, I am not inclined to release the petitioner on bail.

Petitioner would approach this Court after the evidence of the victim is over.

Accordingly, the prayer for bail of the petitioner in CRM (M) 2149 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.)