09.10.2026
Item No.5
Ct.No.35
dc.
Allowed

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 2591 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with New Town Police Station Case No. 231 of 2025 dated 20.11.2025 under Section 6 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **XXX Vs. The State of West Bengal & Anr.**

Mr. Angshuman Chakraborty,
Mr. S. S. Saha
... For the Petitioner.

Mr. Anamitra Banerjee,
Mr. Soumya Raha
... For the State.

Report submitted by the learned advocate appearing for the State along with the acknowledgement of the private opposite party no.2/*de facto* complainant be kept with the record.

In spite of service being effected, none appears for the private opposite party no.2.

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than ten months, charge-sheet has been submitted, charges have been framed and the evidence of the victim girl is over.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail.

I have taken into account the statement of the victim recorded under Section 183 of the BNSS as well as the deposition. Having considered the overall circumstances

including the period of detention of the petitioner, I am of the opinion that further detention of the present petitioner in connection with the instant case is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the POCSO Act, Barasat, North 24-Parganas.

If on bail, the petitioner shall be physically present on each and every date before the learned Special Court and shall not leave the jurisdiction of the district of North 24-Parganas without prior permission of the learned Special Court.

The observations made above are only restricted for adjudication of the bail application and should not be considered a final opinion on the merits of the case.

The application for bail, being CRM (M) 2591 of 2026, 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.)