

30.01.2026

Court No.35.

M/L.322.

Rakib

(Allowed)

CRM (M) 2362 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 Habra Police Station case no. 536 of 2023 dated 10.06.2023 under Sections 376AB/506 of the Indian Penal Code, 1860 read with Section 4/6 of the POCSO Act, 2012.

And

**In the matter of : Kailash Karmakar @ Raju Karmakar @ Raja @
Raja Karmakar.**

.....Petitioner.

Mr. Niladri Sekhar Ghosh

Ms. Labani Sikder

Mr. Souvik Dey

.....for the Petitioner.

Mr. Sandip Chakraborty

Mr. Sufi Kamal

.....for the State.

Report submitted by the State be kept with the record.

Learned advocate appearing for the petitioner submits that petitioner is in custody for two years seven months and the evidence of the victim as also the de-facto complainant is over. Prosecution has proposed to examine 27 witnesses out of which 6 witnesses till date has been examined.

Learned advocate for the State has opposed the prayer for bail and referred to the statement of victim under Section 183 of the BNSS.

On the other hand learned advocate for the petitioner has referred to the deposition of the victim.

I have taken into account the stage of the case and the overall materials appearing. Having considered the same, I am of the opinion that further incarceration is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, petitioner namely, **Kailash Karmakar @ Raju Karmakar @ Raja @ Raja Karmakar** 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 Special Court under POCSO Act, Barasat, North 24 Parganas.

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

Additionally, if on bail the petitioner shall stay outside the jurisdiction of Habra Police Station and inform his address where he would be staying to the trial Court in seisin of the case.

Accordingly, the application for bail being CRM (M) No. 2362 of 2025 is **allowed**.

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.)