

09.02.2026
Serial no. 184
[G.S.D]

CRM (M) 2396 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 **SPL (POCSO) 32/2025 corresponding to GR No. 1628 of 2025 arising out of Margram PS Case No. 181 of 2025 dated 04.07.2025 u/s 85/80/103(1)/238/3(5) of the BNS, 2023 and adding Sections 4(2)/17 of the POCSO Act.**
-And-

In the matter of : YYY

... .. Petitioner(s)

Mr. Angshuman Chakraborty
Mr. S. S. Saha

... for the Petitioner(s)

Mr. Arindam Sen
Md. Kutubuddin

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is in custody since July, 2025 and the incident happened after about two and half years of marriage.

Learned advocate for the State opposes the prayer for bail and draws the attention of the court to the post mortem report wherein injuries were absent except for the purposes of ligature mark.

Having considered the facts of the case that there are complaints of quarrel after marriage and the issues relating to Section 4 and Section 17 of the POCSO Act were because of the girl being under age, I am of the view that although a case is made out, but, further custodial detention of the present petitioner is unwarranted.

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

Accordingly, the petitioner viz, YYY 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 Additional Judge, Special Court under POCSO Act, Rampurhat, Birbhum.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of the district of Birbhum without prior intimation to the learned Special Court.

Accordingly, CRM(M) 2396 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.)

