

M/L 199
09.02.2026

Bpg.
Allowed

C.R.M. (M) 2430 of 2025

In Re: An application for Bail under Section 439 of the Code of Criminal Procedure corresponding to under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Gazole Police Station Case No.443 of 2023 dated 02.06.2023 under Sections 376DA/506 of the Indian Penal Code read with Section 6 of the POCSO Act;

Sanjay Hembrom & Anr.
Versus
The State of West Bengal & Anr.

Ms. Minoti Gomes.
...for the petitioners.

Mr. Aniket Mitra
Mr. Sasanka Sekhar Saha.
...for the State.

Mr. Pravas Bhattacharya.
...for the de facto complainant.

Learned advocate for the petitioners submits that the petitioners are in custody for 2 years 7 months. Learned advocate has drawn the attention of the Court to the deposition of the victim before the learned trial court.

Learned advocate for the de facto complainant is present.

Learned advocate for the State has produced the case diary.

I have taken into account the evidence of the victim particularly her version in the cross-examination and on assessment of the same, I am of the view that further detention of the petitioners are unwarranted in the fact and circumstances of the present case.

Accordingly, the prayer for bail of the petitioners is allowed. The petitioner no.1, namely, Sanjay Hembrom and the petitioner no.2, namely, Sanjila Hembrom shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Judge, Special Court under POCSO Act-cum-learned Additional Judge, 2nd Court, Malda. If on bail, the petitioners shall be physically present on each and every date fixed by learned trial court and shall not leave the jurisdiction of the district of Malda without the prior permission of the learned trial court.

Accordingly, CRM(M) 2430 of 2025 is allowed.

Report submitted by the State be kept with the record.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)