

02.01.2026

Item No.19

Ct.No.35

dc.

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 2649 of 2025

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Deganga Police Station Case No. 130 of 2024 dated 05.03.2024 under Section 12 of the Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Petitioner Vs. The State of West Bengal & another.**

Mr. Sumanta Chakraborty,
Ms. Dhimoyee Kundu

... For the Petitioner.

Ms. Manisha Sharma,
Mr. Tirthankar Dhali

... For the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 1 year 10 months and is aged about 70 years.

Learned advocate appearing for the State, on the other hand, produces the statement of the victim recorded under Section 164 of the Code of Criminal Procedure as well as the medical report.

Prima facie there are corroborations. However, the learned advocate appearing for the petitioner submits that copy of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure which has been supplied to the accused do not match with the copy of the statement which has been produced before this Court.

Since the original case diary has been placed before this Court, I am of the view that the case of the prosecution is substantiated. As such, the prayer for bail of the petitioner is **rejected**.

Learned advocate for the State would direct the Investigating Officer of the case to supply a fresh copy of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure to the accused through the learned Trial Court.

Photostat copy of the case diary earlier retained along with the copies under Section 207 of the Code of Criminal Procedure which was placed on record be returned to the respective advocate.

The application for bail, being CRM (M) 2649 of 2025, is, thus, dismissed.

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.)