20.11.2026
Item No.12
Ct.No.35
dc.
Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (M) 2990 of 2026

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 Survey Park Women Police Station Case No. 04 of 2026 dated 20.07.2026 under Sections 64(2)(f)/65(2)/351(3)/352 of the Bharatiya Nyaya Sanhita, 2023 and Sections 6/4(2)/5(m)/10 of the Protection of Children from Sexual Offences Act, 2012.

And

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

Mr. Imran Siddiqui,
Mr. Irfan Jabed Ali,
Mr. Tanmoy Kumar Dey,
Ms. N. Chakraborty,
Mr. Rajarshi Mitra,
Ms. Riya Ghosh

... For the Petitioner.

Mr. Gouranga Kumar Das, APP,
Mr. Amal Kumar Dutta,
Mr. Arka Naha

... For the State.

Ms. Shampa Rani Mondal

... for the *de facto* complainant.

Report regarding service of notice to the private opposite party no.2/*de facto* complainant and Memo of Evidence submitted on behalf of the State be kept with the record.

Learned advocate appearing for the petitioner submits that petitioner is in custody for 113 days; charge-sheet has already been submitted and there is hardly any scope of concluding the trial in near future as 14 witnesses have been relied upon in the charge-sheet.

Learned advocate appearing for the *de facto* complainant opposes the prayer for bail and submits that

the age of the accused is around 40 years while that of the victim is between 9 to 10 years.

Learned advocate appearing for the State opposes the prayer for bail and draws the attention of the Court to the statement of the victim recorded under Section 183 of BNSS as well as the medico-legal examination report.

Considering the overall circumstances of the case, without the evidence of the mother of the victim and the victim, it would not be appropriate to release the petitioner on bail at this stage. As such, the prayer for bail of the petitioner is **rejected**.

Petitioner would be better advised to renew his prayer for bail after the evidence of the aforesaid witnesses is over.

Learned Trial Court is directed to overcome the stage of consideration of charges preferably within a period of fortnight from the next date fixed and complete the evidence of the aforesaid two witnesses within a period of three months from the date of consideration of charges.

The application for bail, being CRM (M) 2990 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.)