

03.07.2026
Court No.35.
D/L. 12.
Kausik
(Allowed)

CRM (M) 2753 of 2025

In Re: An Application for Bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure, 1973 in connection with Habibpur Police
Station FIR No. 19 of 2024 dated 03.02.2024 under Sections
376(3)/506 of the Indian Penal Code read with Section 6 of
POCSO Act, 2012.

And

In the matter of : Aneswar Mandal

.....Petitioner.

Mr. Sayantan Hazra
Ms. Emrul Kayes

.....for the Petitioner.

Mr. Gouranga Kumar Das
Mr. Amal Kumar Datta

.....for the State.

Learned advocate appearing for the petitioner submits
that the petitioner is in custody for more than 1 year and 3
months and prosecution has relied upon 15 witnesses, out of
which two witnesses have been examined including the victim.
Attention of the Court has been drawn to the cross-
examination of the victim also.

Learned advocate for the State has produced the case
diary, opposes the prayer for bail, drawn the attention of the
Court to the statement of the victim under Section 164 of the
Cr.P.C. as well as the Medico Legal Examination Report.

I have taken into account the overall materials
including the cross-examination of the victim.

Having considered the period of detention of the present petitioner and without going into the merits of the case, I am inclined to release the petitioner on bail.

As such, the prayer for bail of the petitioner is allowed.

Accordingly, Petitioner, namely, **Aneswar Mandal** shall furnish 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 Learned Judge, POCSO Act, 2nd Court, Malda.

If on bail, the petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not leave the jurisdiction of District of Malda without the prior permission of the learned Special Court.

Accordingly, CRM (M) 2753 of 2025 is **allowed**.

Memo of Evidence submitted be kept with the record.

Mr. Gouranga Kumar Das, learned APP and Mr. Amal Kumar Datta, learned advocate was directed to represent the State. Their appearance be regularized by the concerned authorities.

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.)