

27.01.2026

Court No.35.

D/L.30.

Rakib

(rejected)

CRM (M) 5 of 2026

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Beniapukur Police Station case no. 180 of 2024 dated 28.10.2024 under Sections 61/64/96/143/144 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4 and 4/17 of the POCSO Act, 2012 and under Sections 3/4/5/6/7 of the India's Immoral Traffic (Prevention) Act, 1956.

And

In the matter of : Sukhen Sardar

.....Petitioner.

Mr. Suman Chakraborty

.....for the Petitioner.

Mr. Joydeep Roy, Ld. Jr. Govt. Adv,

Ms. Srilekha Chatterjee

.....for the State.

Ms. Jhuma Sen

Ms Shoma Mukherjee

Ms. Aasthita Dutta Majumder

.....for the minor victim.

Learned advocate appearing for the petitioner submits that petitioner is in custody for a period of 132 days and the petitioner is not named in the FIR nor is appearing in the charge-sheet. Petitioner has been incorporated as an accused in the supplementary charge-sheet and as such he may be released on bail on any stringent conditions.

Learned advocate for the State has produced the Statement of one of the victim girl who was recovered and subsequently who made statement before the learned judicial Magistrate from where it transpires regarding the complicity of the present petitioner.

Learned advocate for the de-facto complainant submits that the present petitioner has been identified by the victim.

Having considered the fact that the evidence of the case is in progress and the petitioner has been identified by the victim, I am of the view that this is not a fit case for granting bail.

Accordingly, the prayer for bail of the petitioner in CRM (M) 5 of 2026 is **dismissed**.

Case Diary be returned to the learned advocate appearing for the State.

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.)