

21.01.2026
Court No.35.
D/L.48.
Rakib
(rejected)

CRM (M) 6 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 Habibpur Police Station case no. 06 of 2025 dated 05.01.2025 under Sections 6 & 12 of the POCSO Act, 2012.

And

In the matter of : XXXXX

.....Petitioner.

Mr. Manas Kumar Das
Mr. Siddhartha Sarkar
Mr. Sourav Gupta

.....for the Petitioner.

Mr. Imran Ali
Ms. Sreetama Das

.....for the State.

Mr. Amit Ranjan Pati
Mr. Sunayan Ghosh
Ms. Khadijatul Kubra
Mr. Anish Goswami
Mr. Avijit Chatterjee

.....for the de-facto complainant/victim.

Learned advocate appearing for the petitioner submits that petitioner is in custody for 381 days and only three witnesses have been examined out of the proposed 14 witnesses relied upon by the prosecution. Learned advocate for the petitioner also tried to impress this Court by relying upon the statement of the victim and mother of the victim.

Learned advocate for the de-facto complainant is present.

Learned advocate for the State opposes the prayer for bail and draws the attention of the Court to the statement of victim under Section 183 of the BNSS as well as the medical documents available.

Having considered the same, I am of the view that this is not a fit case for releasing the petitioner on bail.

Accordingly, the prayer for bail of the petitioner in CRM (M) 6 of 2026 is **dismissed**.

Learned trial Court is directed to expedite the evidence of the case and at least complete evidence of two witnesses on each and every month.

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.)