

03.02.2026
Serial no. 24
[G.S.D]

CRM (M) 99 of 2026

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with **SPL ST No. 34 of 2023 corresponding to SC No. 14 of 2023 arising out of Kultali PS Case No. 66 of 2023 dt. 29.01.2023 u/s 363/365/376(3) of the IPC read with Section 6 of the POCSO Act.**
-And-

In the matter of : Abul Hossain Molla

... Petitioner(s)

Mr. Apalak Basu
Mr. Nazir Ahmed
Ms. Sanghamitra Mridha

... for the Petitioner(s)

Mr. Antarikhya Basu
Mr. Parvej Anam

... for the State-respondent(s)

Mr. K. K. Ray

... for the defacto-complainant

Learned advocate for the petitioner submits that the petitioner is in custody for about three years and the victim in her cross-examination answered in such a manner which has hardly any scope for conviction.

Learned advocate for the State produces the Case Diary and draws the attention of the court to the medicolegal examination as well as the statement of the victim at the relevant stage along with the other witnesses.

Considering the medicolegal examination as well as the age of the victim, I am not inclined to release the petitioner on bail in the background of the facts of the case

as it is revealed that the present petitioner at the time of being involved in a sexual relationship with a minor was already married having two children.

Having regard to the manner in which the offence has been committed, I am not inclined to enlarge the petitioner on bail.

Hence, the prayer for bail of the petitioner is **Rejected.**

However, the learned Special Court would expedite the progress of the case considering the fact that the petitioner is in custody for three years; fix each month's schedule consisting of three dates and within a period of six months trial be completed.

Accordingly, CRM(M) 99 of 2026 is **dismissed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

