

AD 298
January 13, 2026
Ct. 28
SG

Reject

CRM(M) 2925 of 2025

An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with Nimta
P.S. Case No.356 of 2024 dated 14.11.2024 under Section 6
of the POCSO Act, 2012.

And

In the matter of:

Biplab Talukdar

... petitioner

Mr. Sumanta Chakraborty
Ms. Dhriti Das
Ms. Dhimoyee Kundu

... for the petitioner

Ms. Manisha Sharma
Mr. Nirupam Dhali

... for the State

Learned counsel for the petitioner submits that the
petitioner is a 60 year old man and he is falsely accused of
sexual assault of a 9 years old girl. Actually, an attempt was
being made to evict the petitioner as a tenant from the
premises in question. The petitioner is in custody for about
one year and two months.

Learned counsel for the State strongly opposes the
prayer for anticipatory bail, relies on the statement of the
minor victim made before the learned Magistrate clearly
implicating the present petitioner. She refers to some
portions of the case diary in support of the prosecution case
and submits that the most vulnerable witnesses are yet to be
examined.

In cases like the present one, it is utmost important to ensure that the vulnerable witnesses are examined first.

Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting bail.

Accordingly, the application for bail of the present petitioner is rejected at this stage.

The trial court is requested to conclude the trial as expeditiously as possible by fixing shorter dates and by adhering to the provisions laid down in the Special Case in this regard.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)