

30.01.2026

Sl. No. DL 46
Court No. 35

ALLOWED

Asraf, A.R.(Ct.)

In the High Court at Calcutta

Criminal Miscellaneous Jurisdiction

Appellate Side

Case No.

CRM (M) 87 of 2026

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 439 of the Code of Criminal Procedure, 1973 filed in connection with English Bazar Police Station case no.1881 of 2025 dated 26.08.2025 under Sections 126(2), 118(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 read with Section 8 of the Protection of Children from Sexual Offences Act, 2012 and Sections 9, 10 and 11 of the Prohibition of Child Marriage Act, 2006 and Section 4 of the Dowry Prohibition Act, 1961.

-AND-

In the matter of :

X X X

.....Petitioner

For the Petitioner :

Mr. Abhishek Chakraborty

Mr. Musharaf Alam Sheikh

...Advocates

For the State :

Mr. Md. Adil Badr, Jr. Govt. Advocate

Mr. Md. Ejaz Akhtar

...Advocates

For the Opposite Party No.2 :

Mr. Arani Bhattacharyya

...Advocate

1. As none appears on behalf of the private opposite party, Mr. Arani Bhattacharyya, learned advocate empanelled with the Calcutta High Court Legal Services Committee is directed to represent the private opposite party no.2. The concerned authority is directed to regularize his appearance.

2. Learned advocate appearing for the petitioner submits that petitioner is allegedly the father of the principal accused and is in custody for more than four months.
3. Learned advocate appearing for the State opposes the prayer for bail and draws the attention of the Court to the statement under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 of the victim.
4. Having considered the overall circumstances of the case, the period of detention and the date of the incident, I am of the opinion that further custodial detention of the petitioner is unwarranted at this stage.
5. Accordingly, the prayer for bail of the petitioner is **allowed**.
6. As such, the petitioner 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 the learned Chief Judicial Magistrate, Malda.
7. If on bail, the petitioner shall be physically present on each and every date before the learned Trial Court in seisin of the case. The petitioner shall not leave the jurisdiction of the district of Malda without prior permission of the learned Trial Court.
8. Accordingly, **CRM(M) 87 of 2026** is **disposed of**.
9. Case diary be returned to the learned advocate appearing for the State.

- 10.** All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.
- 11.** Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Tirthankar Ghosh, J.)