

February 17, 2026

94 ARDR

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 8 of 2026

In Re : An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with **Kalimpong**
Police Station Case No. **143** of **2023** dated **1/11/2023** under Section
6 of the POCSO Act, 2012.

And

In Re : **Abhishek Kumar Gupta @ Prasad**

... Petitioner

Adv. Nishant Nav Rasaily,

... for the Petitioner.

Adv. Ujjwal Luksom,

Adv. Sagnik Sankar Sikdar,

..for the State.

The petitioner is in custody for more than 800 days and prays
for bail primarily on the ground of prolonged incarceration.

Learned counsel for the State submits that trial will be
completed within three months from the next date of evidence fixed
before the learned trial Court subject to cooperation by the petitioner
and systemic reasons.

Allegation against the petitioner is extremely serious in
nature.

Considering the material on record, prayer for bail is rejected
at this stage.

However, in view of the prolonged incarceration of the
petitioner, the learned trial Court is directed to expedite the trial in
the light of the submission made on behalf of the State. The
petitioner shall be entitled to renew his prayer for bail in the event
the trial is not concluded in terms of the undertaking given by the
State.

CRM (M) 8 of 2026 is disposed of.

Case Diary be returned.

Urgent certified website copy of this order, if applied for, be given to the parties, upon compliance with all requisite formalities.

(Suvra Ghosh, J.)