

16.03.2026
Item No.10
Court No.7
CHC
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

C.R.A.(DB-B) 1 of 2026

In Re:- An application under Section 14-A of SC & ST
Prevention of Atrocities Act, 1989 for Bail.

And

In the matter of : **Jiyarul Haque**

..... appellant/petitioner

Mr. Jaydeep Kanta Bhowmik, Advocate

Mr. Sayantan Bhowmik, Advocate

Mr. Shubham Kumar, Advocate

Ms. Jasmin Haque, Advocate

...for the appellant/petitioner

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.

Mr. Aniruddha Biswas, Advocate

...for the State

Ms. Priti Das, Advocate

...for the de facto complainant

1. Appellant, victim and the State are represented.
2. Appellant is in custody for a period of 147 days.
3. Charge is one of rape.
4. Apparently, when the incident occurred, the victim was about 17 years 10 months.
5. We perused the statement of the victim recorded under Section 164 of the Criminal Procedure Code.
6. Victim stated that, there was a relationship between her and the appellant. However, she claims that, the physical relationship was without her consent. Victim underwent a medico legal examination where before the doctor she stated that there was a physical relationship with the

appellant, albeit without her consent. Doctor, however, opined that, there was no sign on the body of the victim as to forcible physical relationship.

7. Police filed charge-sheet. Charge-sheet was submitted on February 17, 2025.
8. Learned advocate for the victim submits that, victim does not oppose the prayer for grant of bail.
9. Considering the fact that, the investigation stands completed with the police submitting charge-sheet on February 17, 2025 and considering the stand of the victim recorded in this order, and the materials in the case diary, we deem it appropriate to grant bail to the appellant.
10. Accordingly, we direct that the appellant/petitioner shall be released on bail upon furnishing a bond of Rs. 10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Judge, Special Court under POCSO Act, Malbazar, Jalpaiguri, subject to condition that the appellant/petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.
11. In the event appellant/petitioner fails to appear before the trial court without any justifiable cause, the trial court

shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

12. The application for prayer for bail is allowed.

13. **CRA(DB-B) 1 of 2026** is **disposed of**.

(Debangsu Basak, J.)

(Biswaroop Chowdhury, J.)