

18.02.2026

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jb.

jdt.

Allowed

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

C.R.M. (M) 33 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Pradhan
Nagar Police Station Case No. 853 of 2025 dated 21.12.2025
under Section 64(2)(m) of BNS read with Section 6 of the POCSO
Act.

And

In Re : Prem Mahato

Ms. Rima Sarkar

Ms. Sidhi Sethia

Ms. Suparna Paul

Mr. Abhijit Chakraborty

... For the Petitioner.

Mr. Aditi Shankar Chakraborty

Mr. Kallol Nag

... For the State

Ms. Mousumi Das

... For the Defacto Complainant

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the
petitioner is in custody for 58 days. There was consensual
relationship between the parties which turned sour
subsequently. The petitioner is entitled to be released on
bail.

Learned counsels for the State and the defacto
complainant oppose the prayer.

I have considered the material on record.

It is a case of consensual relationship between the parties which turned sour subsequently. The victim was about 17 years of age at the relevant time and is supposed to be aware of the consequence of such relationship.

Considering the material on record and the nature of relationship between the parties, this Court is inclined to hold that further detention of the petitioner is not required. He may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Prem Mahato shall be released on bail upon furnishing 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 Additional Sessions Judge, 1st Court, (POCSO) subject to condition that he shall meet the investigating officer once a week till submission of charge sheet and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to adhere to any of the conditions stated hereinabove, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

CRM (M) 33 of 2026 is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)