

AD-20
Ct No.07
Jalpaiguri
20.04.2026
sp
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side**

CRM (M) 95 of 2026

In Re: - An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 08.04.2026 in connection with Khoribari P.S. Case No. 261 of 2025 dated 15.09.2025 under Sections 137(2)/140(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 read with Section 6 of the POCSO Act.

And

In the matter of: Samir Hembram @ Samir Hemram.

.... Petitioner.

Mr. Debasish Mukherjee,
Ms. Srishti Sarkar.

..for the petitioner.

Mr. Nilay Chakraborty, ld. A.P.P.,
Mr. Kallol Nag

..for the State.

1. The application for bail is canvassed on the ground that the victim girl 15 years old was having love affair with the petitioner. In the statement made under Section 164 of the Cr. P.C. the victim admitted that the petitioner is her boyfriend. Before the Medical Officer, she also deposed that she had a love affair with the petitioner. They went to Mirik and from there, they went to Nepal and returned on 22nd September, 2025 in the evening. The victim was brought back by her grandfather.

2. Learned counsel for the State opposes the prayer for bail.

3. Having regard to the facts and circumstances of the instant case and having perused the case diary and given the promiscuity in

society in these days, particularly, due to freely available material on the social media, this Court is inclined to enlarge the petitioner on bail.

4. The petitioner shall be released on bail upon furnishing a Bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned Special Judge (POCSO Act), 1st Court, Siliguri subject to the conditions that the petitioner shall report to the Trial Court on each day. If the trial has not commenced, he shall report to the Officer-in-Charge, Khoribari Police Station once in a week. The petitioner shall not leave the jurisdiction without the prior permission of the Officer-in-Charge, Khoribari Police Station. He shall keep his whereabouts, address and mobile number available to the Officer-in-Charge, Khoribari Police Station.

5. In default of compliance with any of the aforesaid conditions, the bail of the petitioner shall stand automatically cancelled and he shall be taken into custody.

6. With the aforesaid observations, CRM (M) 95 of 2026 is, thus, disposed of.

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

(Rajasekhar Mantha, J.)