CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

20.11.2026
Ct No. 5
Item No.32
c.m.

CRM (M) 366 of 2026

In Re:- An application for bail under Section 483 of the Bharatiya Ngarik Suraksha Sanhita, 2023 in connection with Phansidewa Police Station Case No. 182 of 2026 dated 27.04.2026 under Sections 137(2) and 140(3) of the Bharatiya Nyaya Sanhita, 2023 (Corresponding to Special POCSO case No. 58 (05) of 2026).

And

In Re: Akash Oraon

..... Petitioner

Mr. Subham Ghosh
Mr. Mayank Roy

... for the petitioner

Mr. Janandan Periwal, Jr. P.P.
Ms. Suman Sehanabis
Mr. Nigam Mittal

..... for the State

Mr. Sandip Guha Roy
Ms. Jogala Shweta

... for the de-facto complainant

1. The victim girl is present before the Court. The learned advocate did not oppose the prayer for grant of bail as the relationship between the victim and the petitioner had been consensual.
2. The learned advocate representing the petitioner submitted the charge-sheet to have been filed on 22nd June, 2026, no further custodial interrogation is necessary and he seeks for grant the prayer for bail.
3. The learned advocate representing the State referred to the statement recorded under Section 183 BNSS of the victim

which according to him is contrary to the statement recorded under Section 180 of the BNSS.

4. Considering the facts and circumstances of the case and the materials on record and the charge-sheet have already been filed, the prayer for bail is allowed.
5. Accordingly, Petitioner, namely, Akash Oraon shall furnish bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with two sureties of like amount each, one of whom must be local to the satisfaction of Learned Special Judge, (POCSO) 1st Court at Siliguri.
6. The petitioner shall be physically present on each and every date fixed before the learned Trial Court and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition the petitioner shall meet with the Officer-in-Charge of the concerned Police Station once in a month until further orders.
7. In the event the petitioner fails to appear before the trial Court without justifiable cause, the trial Court shall be at liberty to cancel her bail automatically without reference to this Court.
8. Accordingly, CRM (M) 366 of 2026 is allowed.
9. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.
10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Ananya Bandyopadhyay, J.)