

February 12, 2026

27 ARDR
Allowed

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

CRM (M) 366 of 2025

In Re : An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 in connection with **Pradhan Nagar**
Police Station case no. **634** of **2025** dated **18/9/2025** under
Sections 64/89/308(2)/351(2)(3)/61(2) of the BNS, 2023 read with
Section 6 of Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Chandan Mahato**

... Petitioner

Adv. Subham Ghosh,
Adv. Mayank Roy,

... for the Petitioner.

Adv. Kumar Shantanu,

...for the defacto complainant.

Adv. Nilay Chakraborty,
Adv. Sagnik Sankar Sikdar,

...for the State.

Affidavit of service filed by the petitioner is taken on record.

The petitioner is in custody for about 150 days and prays for
bail.

Learned counsel for the petitioner submits that there was a
love affair between the petitioner and the victim which turned sour
subsequently for which the petitioner has been falsely implicated.

Learned counsel for the defacto complainant submits that
there was no such relationship between the parties as claimed by
the petitioner. The petitioner has been pressurizing the victim to
withdraw the complaint and has been threatening her with dire
consequences though he is in custody.

Learned counsel for the State produces the Case Diary and opposes the prayer for bail.

It appears that there was a consensual relationship between the parties which is also reflected in the report submitted by the doctor who examined the victim. The subsequent complaint against the petitioner was lodged by the victim after the present application was filed. The petitioner is in custody for about 150 days. Charge sheet has been submitted. His further detention is not required for the purpose of custodial interrogation. He may be granted bail subject to stringent conditions.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Chandan Mahato** 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 should be local, to the satisfaction of the learned **Special Judge, (POCSO Court), Siliguri** subject to condition that he shall remain outside the jurisdiction of Pradhan Nagar Police Station and shall furnish the address where he shall presently reside before the learned trial Court, Investigating officer and the Officer in charge of the police station under who jurisdiction he shall henceforth reside. The petitioner shall appear before the learned trial Court on every date of hearing. He shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

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

CRM (M) 366 of 2025 is thus 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 given to the parties, upon compliance with all requisite formalities.

(Suvra Ghosh, J.)