

February 12, 2026

31 ARDR
Allowed

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

CRM (M) 398 of 2025

In Re : An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Siliguri** Police Station case no. **02** of **2024** dated **1/1/2024** under Sections **363/365** of Indian Penal Code and Section **6** of Protection of Children from Sexual Offences Act, 2012.

And

In Re : **Raju Roy @ Raj Kumar**

... Petitioner

Adv. Rajesh Kumar Sharma,
Adv. Janardhan Pevewal,
Adv. Mithun Prasad,
Adv. Rohan Niroola,

... for the Petitioner.

Adv. Kallol Acharja,
Adv. Tapan Bhattacharya,

...for the State.

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

None appears for the victim despite service.

The petitioner is in custody for more than 400 days and prays
for bail.

Learned counsel for the petitioner submits that the victim has
exonerated the petitioner in her statement recorded under Section
183 of the BNSS as well as in her evidence before the learned trial
Court.

Learned counsel for the State opposes the prayer for bail.

It is a fact that the victim girl is a minor. She has stated in her
statement recorded under Section 183 of the BNSS as well as in her
evidence before the learned trial Court that she had a love affair with
the petitioner and went to him after being reprimanded by her

parents. The petitioner is in custody for a considerable period of time. Trial is in progress. His further detention is not required. He may be released on bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely **Raju Roy** 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 **Additional District & Sessions Judge, 1st Court, Siliguri** subject to condition that he 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) 398 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.)