

12.02.2026

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jdt.

Allowed

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

C.R.M. (M) 405 of 2025

In Re : An Application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Matigara
Police Station Case No. 166 of 2024 dated 10.03.2024 under
Section 4 of the POCSO Act.

And

In Re : Bhagat Kherwar

Mr. Arunava Paul

... For the Petitioner.

Mr. Saikat Chatterjee

Mr. Chatu Roy

... For the State

Mr. Avimannu Das

... For the Defacto Complainant

Heard learned counsels for the parties.

The petitioner is in custody for more than 100 days and
submits that though charge sheet has been submitted long back
and this Court directed the learned trial Court to frame charges
and conclude trial within a specific period of time, charge has not
been framed as yet. He prays for bail.

Learned counsel for the State opposes the prayer.

Learned counsel for the defacto complainant submits that
the present complaint is a result of a dispute between the families
of the defacto complainant and the petitioner which has been
amicably settled. The defacto complainant has no objection if the
petitioner is released on bail.

In view of the fact that the petitioner is in custody for a considerable period of time, there is not much progress in trial though charge sheet has been submitted in 2024 and also, since the defacto complainant has no objection if the petitioner is released on bail, the prayer for bail is allowed.

The petitioner namely Bhagat Kherwar 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 Special (POCSO) Judge at Siliguri subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court. He 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) 405 of 2025 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.)