

D/L37  
25.03.2026

Bpg.  
Allowed

C.R.M. (M) 201 of 2026

In Re: An application for bail under Section 439 of the Criminal Procedure Code, 1973 corresponding to under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 filed in connection with Domkal Police Station Case No.435 of 2023 dated 02.07.2023 under Section 376(3) of Indian Penal Code, 1860 and 4 of Protection of Children from Sexual Offences Act, 2012 and Sections 9/10/11 of the Prohibition of Child Marriage Act 2006;

Nur Alam Sk  
Versus  
The State of West Bengal & Anr.

Mr. Arnab Chatterjee  
Mr. Anisur Rahman.  
...for the petitioner.

Mr. Anupam Das  
Ms. Eshita Dutta.  
...for the State.

Learned advocate appearing for the petitioner submits that the petitioner was arrested on 27.10.2023 and till date he is in custody and the prosecution till date has examined 6 witnesses although they have relied upon 24 witnesses in the charge-sheet.

Learned advocate for the State has drawn the attention of the Court to the evidence of the victim as well as the statement under Section 164 of Cr.P.C.

I have taken into account the materials appearing in the case diary and without commenting on the foundational facts of the case as also entering into the merits of the case, I am of the view that as there is no scope of the trial being concluded within a reasonable period of time and the petitioner is in custody for about 2 years 4 months, I am inclined to release the petitioner on bail.

Accordingly, the prayer for bail of the petitioner is allowed. The petitioner, namely, Nur Alam Sk shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- each, one of whom must be local to the satisfaction of the learned Judge Special (POCSO) Court, Murshidabad. If on bail, the petitioner shall be physically present on each and every date fixed before the learned court and shall not leave the district of Murshidabad without prior permission of the trial court.

Accordingly, CRM(M) 201 of 2026 is allowed.

Report submitted by the State be kept with the record.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

**(Tirthankar Ghosh, J.)**