

22.5.2026

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**CRR 2164 of 2026**

**Bijay Chowdhury @ Bijay Kumar  
Vs.  
The State of West Bengal & Anr.**

Mr. Niladri Sekhar Ghosh  
Mr. Sourav Mondal

...for the Petitioner

The petitioner herein is aggrieved with the order dated 16.5.2026 passed in Special (POCSO) case no. 5 of 2022 by which the court below had cancelled the bail, granted to the petitioner and thereby took him into custody on the ground that he violated specific conditions imposed in the bail order, which pertains not to not disturb the victim girl and not to make any effort to make any contact with the victim girl and not to disturb the witnesses of the case.

Being aggrieved by the aforesaid order, learned counsel for the petitioner submits that the victim girl has already been examined. The bail order has been cancelled by violating the settled principle of law, which states that post bail misconduct can only warrant cancellation of bail, which is not the case here and therefore, the impugned order may be set aside and he may be released on earlier bail bond.

Having heard learned counsel for the petitioner, the application stands admitted.

Petitioner is directed to serve a copy of the application upon the State through the office of the Public Prosecutor, High Court, Calcutta and upon the opposite party no. 2 by speed post intimating the next date of hearing and to file affidavit of service on the returnable date.

Let the matter appear on 9<sup>th</sup> June, 2026 under the same heading.

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

**(Dr. Ajoy Kumar Mukherjee, J.)**