

19.09.2025
Item no.4
Court No.42
ss
(Dismissed)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 1628 of 2025

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Purbashthali Police Station Case No.326 of 2024 dated 05.10.2024 under Section 64(2)(f) of the Bharatiya Nyaya Sanhita and under Sections 4/6 of POCSO Act now numbered as Session Special Case No.36 of 2024 (ST 01(01) of 2025) currently pending before the Court of learned Judge under POCSO Act, Kalna, Purba Bardhaman.

And

In Re : XXX

.... Petitioner

Mr. Dipak Das

..... for the petitioner

Mr. Imran Ali

Ms. Sima Biswas

... for the State

1. Service report filed by the State are taken on record.
2. Learned Advocate for the petitioner submits that the victim in her cross-examination has stated that the case initiated out of misunderstanding. The petitioner is in custody since October, 2024. He seeks for enlargement of the petitioner on bail.
3. Opposing such prayer for bail, learned Advocate for the State submits that the victim in her statement before the Magistrate as well as in court implicates this petitioner of his involvement in the alleged offence. He seeks for dismissal of the bail application.
4. Despite service none appears on behalf of the *de facto* complainant.

5. Perused the case diary and materials on record.

6. The victim in her statement before the Magistrate as well as in her deposition in court clearly implicates this petitioner, who happens to be a distant grandfather of the victim. The fact as stated by the victim in her cross-examination may be examined in trial in the backdrop of other evidences on record. Considering the above incriminating materials and bearing in mind nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the bail prayer of the petitioner is rejected.

8. However, learned trial court is directed to expedite the trial to the fullest extent and conclude the same at an early date without granting any unnecessary adjournment to either of the parties.

9. The prosecution is directed to produce witnesses as per schedule fixed by the trial court for examination of witnesses.

10. The parties are directed to cooperate in the trial for examination of the witnesses.

11. Parties are at liberty to communicate this order to the learned trial court.

12. The application for bail being **CRM (M) 1628 of 2025** stands dismissed.

(Bivas Pattanayak, J.)