

09.04.2026
Serial no. 34
[G.S.D]

CRM (M) 2424 of 2025

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/under Section 483 of the BNSS, 2023 in connection with Special POCSO Case No. 23 of 2017 arising out of Pathar Pratima Police Station Case No. 147 of 2017 dated 12.07.2017 u/s 341/376D of the IPC, 1860 and u/s 6/10 of the POCSO Act, 2012.

-And-

In the matter of : Uttam Maity

... Petitioner(s)

Mr. Kallol Mondal, Sr Adv.
Mr. Supriyo Sashmal
Mr. SouvikDas
Mr. Anamitra Banerjee
Ms. Moupia Chakrbaorty

... for the Petitioner(s)

Mr. Binoy Panda
Ms. Sima Biswas

... for the State-respondent(s)

Records of the case reflect that another accused [Ramen Chakraborty] has been granted bail and the same seems to be pursuant to the directions passed by the Hon'ble Supreme Court.

The present petitioner is better placed than the other accused [Ramen Chakraborty] who is on bail only because of the fact that the petitioner was evading the process of law for a considerable period of time. Earlier, the petitioner was on bail, pursuant to the warrant of arrest having been issued, he was arrested and produced before the court. Thereafter, he was granted interim bail. Subsequently, on the premise that earlier order of bail of the present

petitioner was rejected by the higher court, petitioner's bail was subsequently cancelled.

Having considered that other accused persons who are differently situated from the present petitioner and the petitioner is better placed than those accused persons according to the version of the victim in her statement under section 164 of the Cr.P.C., I am of the view that further detention of the present petitioner is unwarranted as he is in custody since 7th July, 2025.

Hence, the prayer for bail of the petitioner is **Allowed.**

Accordingly, the petitioner viz, **Uttam Maity** shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the Learned Additional Sessions Judge, 1st Court & Special Court under POCSO Act, Kakdwip, South 24 Parganas.

If on bail, the petitioner shall also make himself physically available on each and every date so fixed by the learned Special court/trial court and shall not leave the district of South 24 Parganas without prior intimation to the learned Special court/trial court.

Accordingly, CRM(M) 2424 of 2025 is **allowed.**

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)