

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

CRM/9/2025
 IA No.CRAN/2/2026

Surojit Hawlader

Vs

The State

Mr. D.Ilango ... for the petitioner

Mr. Sumit Kumar Karmakar ... for the State

April 23, 2026
 [SR]
 Item No.5

Re: CRAN/2/2026

1. The petitioner seeks modification of the conditions of bail as imposed by the order dated December 19, 2025 passed in CRM/9/2025 to the extent that the petitioner was directed by the Court not to live in the village where the victim resides and not enter into the village without permission of the Court.

2. Modification of the said condition is sought to the extent that the petitioner be allowed to visit his village for the limited purpose of meeting his ailing parents and aged grandparents.

3. Learned counsel for the petitioner submits that apart from the petitioner, there is none else to look after his family; hence, such limited modification may be allowed.

4. Learned Public Prosecutor appearing for the State opposes the prayer for modification and submits that the

nature of the offence was grave and the safety of the two victim girls may be jeopardized if the petitioner is permitted to enter his village, where the victim girls also reside.

5. Upon consideration of the submission of the parties, it transpires that in the order dated December 19, 2025, as one of the conditions of bail, the learned Single Judge had restricted the petitioner from living in his village and/or from entering the village, where the victim girls also reside, without prior permission of the Court.

6. Since learned counsel for the petitioner submits that there is some ambiguity as to what was meant by the term “Court”, as it may be this Court or the Trial Court, I hereby clarify such doubt to the effect that by “Court”, the learned Single Judge obviously meant the Trial Court, since the said Court, which is in seisin of the trial, is in a better position than this Court to assess the circumstances relevant in deciding as to whether the petitioner should be permitted to visit the village, depending upon the stage of trial and the evidence before the Court.

7. Accordingly, it is clarified that the petitioner will be entitled to seek prior permission of the jurisdictional Trial Court, in terms of condition no. (ii) as imposed in the order dated December 19, 2025, for the purpose of entering his village.

8. With such observations, the present application, being CRAN/2/2026, is disposed of.

(Sabyasachi Bhattacharyya, J.)