

10 16.4.2019

Skc/gd

CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
APPELLATE SIDE

C.R.M. 117 of 2019

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 03/4/2019 in connection with Mal P.S. Case No.406 of 2018 dated 06.10.2018 under Sections 447/427/365/34 of the Indian Penal Code read with Section 6 of Protection of Children from Sexual Offences Act, 2012.

And

In the matter of: Nilu @ Nilmoni Biswas

....petitioner.

Mr. Sankar Chandra De

...for the petitioner.

Mr. A.S. Chakraborty

- Mr. Ujjal Luxsom

...for the State.

The petitioner seeks bail in connection with Mal P.S. Case No.406 of 2018 dated 06.10.2018 under Sections 447/427/365/34 of the Indian Penal Code read with Section 6 of Protection of Children from Sexual Offences Act, 2012.

The State produces the statements of the two alleged victims recorded under Section 164 of the Code.

Considering such statements, it does not appear to be appropriate to detain the petitioner any further as long as the petitioner does not contact the victims or the victims' families till the conclusion of the trial.

Accordingly, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) , with two sureties of like amount, to the satisfaction of the Chief Judicial Magistrate, Jalpaiguri on the conditions that he shall not intimidate the witnesses or tamper with the evidence in any manner whatsoever and he shall appear before the trial court on every date of hearing.

In the event of violation of any of the conditions, the trial court will be at liberty to cancel the bail without reference to this Court.

The prayer for bail is allowed, subject to the conditions stated above.

Certified website copies of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Sanjib Banerjee, J.)

(Suvra Ghosh, J.)

