

***Calcutta High Court
In the Circuit Bench at Jalpaiguri***

19.08.2019.
11.
as
(Allowed).

C.R.M. 624 of 2019

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 23.07.2019 in connection with Alipurduar Women P. S. Case No.58 of 2019 dated 03.07.2019 under Section 10 of the POCSO Act..

In the matter of : Uttam Sarkar.

... Petitioner.

Mr. Arnab Saha.

...for the Petitioner.

Mr. Abhijit Sarkar,
Ms. Namrata Das.

.....for the State.

Heard the learned Advocates appearing for the parties.

Pursuant to the earlier order dated 26.7.2019,
Investigating Officer is personally present in Court today. His
presence is noted and dispensed with.

Statement of the victim recorded under Section 164 of
the Code of Criminal Procedure has been placed on record.
Investigation is complete.

Learned Advocate appearing for the State opposes the
prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations as appearing from the statement of the victim recorded under Section 164 of the Code of Criminal Procedure and in view of the period of detention suffered by the petitioner and as investigation is complete, we are inclined to grant bail to the petitioner.

Accordingly, the petitioner, namely, Uttam Sarkar shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the learned Additional Chief Judicial Magistrate, Alipurduar subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimate witnesses or tamper with evidence in any manner whatsoever.

In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

This application, being CRM 624 of 2019, is disposed of.

(Manojit Mandal,J.)

(Joymalya Bagchi, J.)

