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CRM 5960 of 2020
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 439 of the Code of Criminal Procedure in connection with Dinhata Women P.S. Case No.33 of 2020 dated 17.05.2020 under Section 6 of the POCSO Act, 2012.

And

In the matter of: Ashoke Chandra Sarkar

....Petitioner.

Ms. Suman Sehanabis
Ms. A. Saha

...for the Petitioner.

Mr. A.S. Chakraborty
Mr. S.S. Sikdar

...for the State.

It is submitted on behalf of the petitioner that he is in custody for 121 days.

Learned lawyer for the State opposes the prayer for bail.

Having considered the materials on record and bearing in mind the nature of allegations and in view of the protracted period of detention suffered by him, we are inclined to grant bail to the petitioner subject to strict conditions.

Accordingly we direct that 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, one of whom must be local, to the satisfaction of the learned Special Judge (POCSO), Dinhata subject to condition that the petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the

witnesses and/or tamper with evidence in any manner whatsoever and while on bail the petitioner shall not enter the jurisdiction of Dinhata Women Police Station until further orders except for purpose of investigation and attending the court proceedings and shall provide address where he shall presently reside to the investigating officer as well as to the court below and shall report to the officer-in-charge of concerned police station within whose jurisdiction he shall presently reside once in a week until further orders.

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

The application for bail is, accordingly, allowed.

CRM 5960 of 2020 is disposed of.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Joymalya Bagchi, J.)